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Pro Ecclesia Sancta Catholica, Pro Sancta Catholica Fide, Pro Sancto Dei Verbo.

EDITED BY THE

REV. HENRY MASON BAUM

January, 1885

VOLUME XLV. WHOLE NUMBER CLVI

PUBLISHED QUARTERLY

IN THE MONTHS OF

JANUARY, APRIL, JULY, AND OCTOBER

NEW YORK

AMERICAN CHURCH REVIEW ASSOCIATION

1885

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TROW'S
PRINTING AND BOOKBINDING COMPANY,
NEW YORK

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# American Church Review

Vol. XLV.-No. 156.

JANUARY, 1885.

# THE AMERICAN BOOK OF COMMON PRAYER AND ITS SEVERAL STANDARD EDITIONS.

INTRODUCTION.

THE American Book of Common Prayer is a revised edition of the English Book of 1662, with many verbal changes, some omissions, and a few additions, but, in all other respects, the American is an exact reproduction of the English Book. It is true, indeed, that in the General Convention of 1789, which "set forth" the American Book, the House of Deputies acted throughout on the theory that there was no Book before it for revision, and that it was framing an entirely new Book, though in actual fact the English Book was revised by it; but, on the other hand, the House of Bishops, as we know, kept the English Book constantly before it, and deliberately revised that Book. If one has any doubts on this subject, it will only be necessary to examine the two Books, to see that they are the same, save in the comparatively few changes that have been made in the later revision. The Preface to our Book openly and officially

acknowledges that the American Book is a revision of the English. It affirms that "the attention of this Church was in the first place drawn to those alterations in the Liturgy [of the Church of England] which became necessary in the prayers for our Civil Rulers, in consequence of the Revolution," and then it states that "the different alterations and amendments will appear, and, it is to be hoped, the reasons of them also, upon a comparison of this with the Book of Common Prayer of the

Church of England."

The General Convention also, in 1841, recommended the Printing Committee for the correction of typographical errors in the Prayer Book to consult, not only "the former standard editions of the Prayer Book, set forth under the authority of this Church," but also "the edition of the English Prayer Book printed at the University Press, Oxford, by Samuel Collingwood & Co., 1840." This Committee would scarcely have been directed to consult the English Book, if the Convention had not considered that as the source of our own Book. And at this day, the Sealed Books of 1662, and particularly the MS. Book, formerly attached to the Act of Uniformity in 1662, are usually reckoned as the Standard by which language common to both Books should be corrected.

#### THE AMERICAN BOOK.

Many of the changes in certain words and phrases in the American Book were evidently made with a view to the removal of what was obsolete, or in order to attain what was supposed to be a greater correctness of expression. Thus, "which" when referring to persons was changed throughout to "who," even in the Lord's Prayer, but this change had already been made in 1662, in some parts of the English Book, as in the Creeds and in the Collects. The substitution everywhere of "those who" for "they that" and "them that" does not seem to have been at all necessary, since these old expressions are quite as good English, and much more

melodious than the new ones. Indeed our American revisers appear to have been strangely insensible to the marvellous musical rhythm in the English Book. "With pity behold," in the Litany, is not as rhythmical as "Pitifully behold." "Adorable" in the Te Deum, though a good word in itself, has not the correct accent of its predecessor "honourable." The change in the rubric from "meekly kneeling upon your knees" to "devoutly kneeling" is to be regretted, as seeming to allow, without special rebuke, the irreverent practice, alas! too prevalent, of sitting with only one's head bowed down, even though that position could scarcely be, in God's sight, "devoutly kneeling." However, it must be admitted that architects and the Clergy are often responsible in part for this irreverence, by planning or permitting such an arrangement of the pews as that kneeling in them is well-nigh impossible. From a false sentiment of modesty, the definite word "fornication," in the Litany, was changed into the vague expression, "all inordinate and sinful affections," and the strong teaching in the Te Deum of "Thou didst not abhor the Virgin's womb," was altered into the weaker statement, "Thou didst humble thyself to be born of a Virgin." This American change in phraseology speaks of the Nativity only, while the expression in the English Book calls attention to the profounder humility of the Incarnation. Indeed the entire verse, as Blunt has recently shown, might be more accurately given as follows: "When thou tookest upon Thee mankind to deliver the world: Thou didst not abhor the Virgin's womb." This American reading in the Te Deum, and the garbled Venite, had before appeared in a work, published in London, in 1734, entitled "The Book of Common Prayer, revised, corrected, and enlarged, by Way of Specimen," and these changes may have been copied from it. In the curious pamphlet just mentioned, that verse in the Te Deum had been altered so as to read, "Thou submittedst to be born of a pure Virgin." No doubt, from this change of language was derived the further modification which was adopted in the Proposed Book, "Thou didst humble

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thyself to be born of a pure Virgin." From the Proposed Book this phraseology was received into the American Book, with only the single excision of the word "pure" before "Virgin," an omission somewhat remarkable. The alterations prepared by the Royal Commissioners in 1689 had also, unfortunately, a marked influence on the American revision, as may be seen by the laudatory reference to them in the Preface of our To the suggestions in 1689 may be traced, among other things, the omission of the Magnificat and the Nunc Dimittis, and the placing of the Jubilate before the Benedictus, changes which have been wisely rectified in the Book Annexed. But, much as we may regret many of these verbal changes and omissions in the American Book, as unnecessary and as imperfections, we must thankfully admit that the great improvement in our Eucharistic office by the addition to it of The Oblation and The Invocation from the Scotch Book. more than counterbalances these other blemishes. When we remember the low view prevailing here last century respecting the historical continuity of the Church and its worship, the prejudice against Bishops in a republican country, as though they must necessarily be of the nobility and form a House of Lords, and for how many hundreds of years, Church people in America had been deprived of the fatherly presence and government of Bishops among them, we may well be thankful that the integrity of the Faith and of liturgical worship has been so well preserved for us in our now venerable and beloved American Prayer Book. In the Proposed Book, which in God's merciful Providence was never adopted by this Church, a sad lowering of Catholic tone had been shown. In that hasty book the Athanasian and Nicene Creeds had been displaced, and an Article of the Apostles' Creed omitted. Priest everywhere had been changed The important word "regenerate" had to Minister. been dropped in the Baptismal and Confirmation Offices. and the inspired Book of the Psalms mutilated by the omission of quite one-third of the entire book. One short sentence from the Preface of each will prove the

great advance in Churchly tone and breadth of our Adopted Book over the Book Proposed to us only four years before. In the Proposed Book it was affirmed: "It is far from the intention of this Church to depart from the Church of England, any farther than local circumstances require, or to deviate in any thing essential to the true meaning of the Thirty-nine Articles." Sic! In our present Book, we declare "that this Church is far from intending to depart from the Church of England in any essential point of doctrine, discipline, or worship; or further than local circumstances require," a statement which is very different from the former one. The American Daughter, as a reformed branch of the Holy Catholic Church in this country, is thus at one in her authorised Prayer Book with her English Mother, in every "essential point of doctrine, discipline, or worship," and while she openly professes the ancient Faith of Christendom, she tacitly accepts with the English Church the truly primitive Rule for Teaching set forth in a Decree of Convocation of 1571, that "Preachers shall, in the first place, be careful never to teach anything from the pulpit, to be religiously held and believed by the people, but what is agreeable to the doctrine of the Old or the New Testament, and collected out of that doctrine by the Catholic Fathers and Ancient Bishops." This Decree should have the greater weight with some among us, as having been ordered by that same Convocation which subscribed the "Articles of Religion" in the form finally adopted by the Church of England, and inherited by us in America.

## THE TITLE, "PROTESTANT EPISCOPAL."

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Another important alteration in our American Prayer Book, necessitated in part by the war for Independence and by our successful separation from England, was the change of title from "The Church of England" to one that should better mark our independent character. The title that was accepted, "The Protestant Episcopal

Church in the United States of America," is in many respects an unfortunate one, and at present is a decided misnomer. This title was rather received than selected. for it does not appear to have been adopted by any formal vote of the General Convention. It seems to have been first suggested in Maryland, at a meeting of three clergymen and twenty-four laymen, in Chestertown, November 9, 1780. From a letter to Bishop Claggett, we learn that, at this Convention in 1780, the Rev. James Iones Wilmer "moved that the Church of England, as heretofore so known in the province, be now called The Protestant Episcopal Church, and it was so adopted." The other two clergymen were Dr. William Smith and Mr. Samuel Keene. The term Protestant Episcopal, as the Rev. Dr. Brand has recently shown, from "A Character of the Province of Maryland," by George Alsop, had long before been in common use in Maryland as an expression to define Church people, certainly as early as 1666. In Chapter II. of Alsop's pamphlet, first printed in London, in 1666, he says: "Here the Roman Catholick and the Protestant Episcopal (whom the world would persuade have proclaimed open Wars irrevocably against each other) contrarywise concur in an unanimous parallel of friendship and inseparable love intangled into one another," etc. The designation "Protestant Catholick" had also been in use there, in a similar way, for in March, 1642, a petition was presented to the Assembly by David Wickliff, "in the name of the Protestant Catholicks of Maryland." By this expression Churchmen were evidently meant, who were thus contradistinguished from Roman Catholics on the one hand, and from Puritans on the other. The title Protestant Episcopal was next acknowledged in a "Declaration of Rights" put forth in Maryland, at a Convention of the Clergy, held at Annapolis, August 13, 1783. In it they say: "We, the Clergy of the Protestant Episcopal Church of Maryland (heretofore denominated the Church of England, as by Law established)," etc. And a year later, the Convention held at Chester, Maryland, October 26, 1784, was formally entitled "A Convention of the Clergy and Lay-

Delegates of the Protestant Episcopal Church in the State of Maryland." In New York, a voluntary gathering of Clergy and Laymen, October 6 and 7, 1784, was called "A Convention of Clergymen and Lay Deputies of the Protestant Episcopal Church in the United States of America." And yet, in the first and second articles of the Constitution then adopted, this Church is there called simply "the Episcopal Church," "in the United States," or "in each State." It was in accordance with the recommendations and proposals of this meeting in New York, in 1784, that our first General Convention was called in 1785. In Philadelphia, at a meeting of Clergy and Lay Deputies, May 24, 1785, it was "determined and declared that the said Clergy and Congregations shall be called and known by the name of The Protestant Episcopal Church in the State of Pennsylvania." Such was the action in sundry of the States respecting the title of the Church here in this country. However, in the first General Convention, held in Philadelphia in September and October, 1785, there was no formal vote or action with respect to the title of this Church, so far as the records show, but that title which had been already adopted in Maryland and Pennsylvania, and received in New York, New Jersey, and Virginia, seems to have been tacitly accepted here, for on the evening of the second day, Wednesday, September 28th, it was "Resolved, That a Committee, to be composed as aforesaid, prepare and report a draft of an Ecclesiastical Constitution for The Protestant Episcopal Church in the United States of America." This new title, thus indirectly assumed by the General Church in 1785, was next officially printed on the titlepage of the Proposed Book, and finally, in October, 1789, it was published in our Adopted Book, then set forth and established. This title, Protestant Episcopal, the history and reception of which I have thus briefly sketched, is a most unfortunate one, in that it does not distinctly assert our historical heritage as a Reformed Branch of the One, Holy, Catholic, and Apostolic Church, but seems rather to affiliate this Church with sundry Christian Societies, who do not acknowledge "a certain faith,"

and "a lawful" ministry. Whatever may have been its meaning when first assumed, it is now an uncertain and misleading title, for "Protestant" has come to be in Europe and in this country too often only a synonym for heretical, and "Episcopal" no longer defines an Apostolic Office, since it has been officially adopted by certain Christian Bodies, who openly repudiate the three-fold ministry of Christ's Church—Bishops, Priests, and Dea-Without doubt, many of our people, from association, and from its continued use, are sincerely attached to this title, but an increasing number among us is beginning to perceive that it is a misnomer, and an injury to our work and growth as an Apostolic Church; and when this knowledge increases and becomes well-nigh universal among our members, the General Convention, it is to be hoped, will unanimously drop this modern negative title, and grant us our true historical name as the "American Catholic Church," in the United States of America.

## OMISSION OF THE "KYRIE" AND THE LORD'S PRAYER.

One omission in the American Book must be specially mentioned as an irreparable loss to us, and that is the excision after the Creed in the Daily Offices of the Kyrie, or three-fold petitions, "Lord, have mercy upon us. Christ, have mercy upon us. Lord, have mercy upon us," and of the Lord's Prayer. Probably this second Lord's Prayer was thought by our revisers to be simply an idle repetition, and it was on that account omitted. But Blunt, Freeman, and others have shown that the Lord's Prayer, as used after the Creed, "has a different intention from that with which it was used at the opening of the Service, and is by no means to be looked upon as an accidental repetition arising from the condensation of several shorter services into one longer. In the former place it was used with reference to the Service of Praise and Prayer in which the Church is engaged. Here it is used with reference to the necessities of the Church for the coming day or night; preceding

the detailed prayers of the versicles which follow, and of the Collects which make up the remainder of the Service." A writer in The Church Quarterly Review for July last, wisely says on this subject: "The whole Office may be said to have grown out of, or radiated from, or been crystallised round the Central Pater Noster, the erasure of which is, therefore, to a liturgical mind, simply intolerable, whether dictated by a fanciful dread of repetition—if anything will bear repetition surely the Lord's Prayer will—or by any impatient aim at shortening, or by whatever motive. Certainly if one must go, we had far rather it were the opening and introductory use of the Lord's Prayer in the Daily Office, which anciently was said secreto, and not its solemn use as the crown and climax of the Office, to which all that goes before leads up, out of which grows, and on which hangs all that follows." Surely we may hopefully demand that this important "gem" shall be restored to our book, with as little delay as possible.

The Black-letter Saints' Days of the English Book are connected with the Church's earliest history, and their erasure in the American Book is to be regretted, as "involving the sacrifice of a very important witness to the historic continuity of the Reformed with the

Earlier Church."

The Burial Office of the Church was manifestly composed for use over those who have been made Christians by Holy Baptism, and who look for Christian Resurrection hereafter. Accordingly, a rubric in that Office in the English Book orders that it "is not to be used for any that die unbaptised." In the Proposed Book, this limitation was strangely removed, and that Office could there be used for the unbaptised as well as the baptised! In the American Book, the rubric was again altered, and it directs that "the Office ensuing is not to be used for any unbaptised adults." This change is in some respects a worse one than that in the Proposed Book. The rubric as worded in our Book would almost seem to imply that Baptism is not necessary for infants, but only for adults, an inference which would be directly con-

trary to the teaching of our Baptismal Offices. On this change in the American rubric, an English reviewer has recently remarked: "The American Church thus teaches all but explicitly that it is all one whether souls are or are not members of the Body of Christ, which none can be without Baptism, and that the same words of hope of the same resurrection, and the same glorious resurrection lesson, are applicable to baptised and unbaptised alike, if not adults. This is utterly unscriptural. The New Testament phrases to 'be in Christ,' to 'be Christ's,' or to 'sleep in Him,' have a perfectly definite meaning, and point to a distinct 'resurrection,' different both in time and character from the general resurrection of the uncovenanted saved and lost. We are very far indeed from saying that 'those that are without' are all necessarily lost; but we do think it a very grave thing to blur the New Testament distinction between them and the 'Saints.' . . . Possibly there is need of some special office for the burial of the unbaptised, whether children or others, which should be charitable, kindly, and reverent, dwelling on the general truths of religion, but not, as in the nature of the case it can never be, distinctively Christian in its reference to the deceased." By all means, the old rubric of the English Book should be restored to the American Burial Office.

In the Calendar of Lessons sundry changes were made by Bishop White for the Proposed Book, and these were received into the American Book with scarcely any further alteration. There are no Second Proper Lessons in the English Book for Sundays and Holy-days, and the introduction of these into our Book was somewhat of an innovation. Proper Lessons were given for the twenty-seventh Sunday after Trinity. This last addition was probably due to the fact that only the year before, in 1788, there had been twenty-seven Sundays after Trinity, and no Proper Lessons for that Day. The same thing had occurred a few years previously, in 1780, and would soon again occur, in 1799. A Proper Lesson for that day was not added in the Eng-

lish Book till 1871. With respect to Second Proper Lessons for the festivals, Blunt says: "The accidental combination of the fixed cycle of Proper Lessons with the variable one of the Second Lessons sometimes throws a wonderful flood of light upon both the Old and New Testament Scripture; and it may be doubted whether any equal advantage would be gained by the substitution of Proper Lessons from the latter for the present system of reading it in order." The Lessons generally were shortened in the American Book, and accordingly the Gospels and Acts are to be read through only twice in a year, instead of three times, as before. The Apocrypha was omitted from the Daily Calendar, but it was still retained on some of the Saints' Days. In our new Calendar of Lessons the Apocrypha has been wisely restored, at least in part, to the Daily Lessons for November.

Our American revisers seem to have thought that in this new Western country we should never be able to chant The Psalter, and so it was printed in the American Book without the musical colon, and the clause from the English Book, "pointed as they are to be sung or said in churches," was dropped from our title-page. The Book Annexed has restored the colon, but, instead of restoring also this clause to its place on the title-page, it has there very strangely omitted any reference whatsoever to the Psalter. This is to be regretted, for the Psalter has ever been considered as the principal feature in the Choir offices, and it is an integral part of the Prayer Book, and in the American Book its title has always closed our Table of Contents.

#### THE SEVEN STANDARD BOOKS.

The General Convention directs, from time to time, by Canon, which particular edition of the Prayer Book shall be the Standard Book, by which all editions shall be corrected, and to which all are to conform. There have been, thus far, six different "Standard" editions, so named by Canon, and these were published respec-

tively in the years of our Lord, 1793, 1822, 1832, 1838, 1845, and the last in 1871. To these six Standard editions, so entitled by Canonical authority, must necessarily be added our editio princeps, in 1790, and thus there have been seven editions, each one of which was for a time the Standard Book. There are, besides, Standard copies of various offices, usually bound up, and of equal authority, with the Prayer Book, to wit: The Standard of "The Ordination Offices," a royal quarto volume, New York, Hugh Gaine, 1793, containing only thirty-five printed pages; the Standard of "Articles of Religion," a small octavo pamphlet, New York, T. & J. Swords, 1802; and the Standard of "An Office of Institution," an octavo pamphlet, New York, Swords, 1808. Standard of "The Prayer for Convention," adopted in 1799, would seem to be the copy printed, by order of the Convention, at the end of the original "Journal of the General Convention of 1799," or it may have been printed after the "Form of Consecration of a Church or Chapel," adopted also in 1799, a Standard edition of which was probably set forth at that time, though there is no order for such in the Journal of that year. It is desirable, also, for reference, to possess copies of the stereotyped editions of the Prayer Book, which were altered into Standards, where there have been such. As a complete collection of these Standards and Pre-Standards (if I may coin a word for use in a special sense), is a great rarity, and the writer, after many years' search, partly through purchase and partly through gift, has fortunately been able to acquire all of them, he purposes, for the information of those less fortunate, to give a short account of them, with some of their peculiarities, and the more important corrections or changes in them.

## THE FIRST STANDARD IN 1790.

Our first American Prayer Book, as set forth by the General Convention in October, 1789, is a small duodecimo volume, published in Philadelphia, in August,

1700, by Hall & Sellers. This firm was the successor of Franklin & Hall, and "The Newest Printing Office" on the board over their door, which remained in that position until 1814, was placed there originally by Benjamin Franklin. The unfortunate Proposed Book had also been published by Hall & Sellers. This editio princeps of 1790 is a carefully printed book, on good paper, with two columns to a page, and with a line between the columns, and has very few typographical errors in it. As in English Prayer Books of that time, the pages of it are not numbered, except in the Psalms in Metre, where a separate title-page is given, and the pages are marked by Arabic numbers, in all 221 (iii) pp. The Committee appointed by the Convention of 1789 to superintend the printing of this Book, consisted of Bishop White, Rev. Doctors Smith, Magaw, and Blackwell, and Messrs. Hopkinson and Coxe. They were instructed, "besides a full and complete edition of the said book, printed in folio or octavo, or in both, to have an edition published, to contain only the parts in general use and the Collects of the day, with references to the Epistles and Gospels." But notwithstanding this instruction, complete editions of this Book in folio or octavo were not published, so far as I can learn.

The chief peculiarities in our first Standard are as follows: In reading under A Table of Fasts, "The Season of Lent," instead of "The Forty Days of Lent;" in printing "He descended into Hell," of the Apostles' Creed-in the Morning and the Evening Prayer, in the Catechism, and in The Visitation of the Sick-in brackets and in italics; and in putting in *small capitals* the entire phrase "WHICH WE NOW OFFER UNTO THEE," in the Oblation of the Prayer of Consecration. The printing of this last phrase in capital letters was in a direct following of the later Scotch Books since 1755, and of Bishop Seabury's Communion-Office of 1786. In both of these Books, the entire sacred phrases, "This is My Body," "This is My BLOOD," and the important word "DO" in "Do this," were printed in capitals, and in our Book of 1790, though the capitals throughout were omitted, yet each of

these phrases began with a capital letter. This capital "T" and "D" of our first and second Standards, ought still to be our reading, for they were never changed by authority, but a small "t" and "d" have crept into our later Standards from stereotyped editions, in which these letters were thus changed by a printer's mistake, and which afterwards became Standards, with or without other corrections, the small t being tacitly introduced in the Standard of 1822 from an edition of 1818, and the small "d" in "This is the Standard of 1832 from an edition of 1831. my Body-Blood," had also been printed in capital letters in a folio English Prayer Book, London, Norton & Bill. 1627. In like manner, from the Scotch Books we have inherited the more correct position of the reference-letter to the marginal Rubric (e) in the Prayer of Consecration, it being placed before, and not after, the word "This." In the Churching of Women, the Doxology to the Lord's Prayer, which had been added in the English Book in 1661, was *omitted* in the American (!). On the other hand, at the beginning of the Office of the Holy Communion, the Doxology was added in our Book. In the Book Annexed, it is wisely proposed again to omit this Doxology.

In our first Standard of 1790, sundry changes that had been adopted in the Proposed Book, seem unconsciously to have been reproduced. Thus, before the Prayer of Absolution, wherever it occurred, the word Priest, in accordance with the English Book, was carefully preserved, yet this retention was overlooked in the Offices at Sea, and in The Visitation of Prisoners, in both of which, as taken from the Proposed Book, the word Minister was continued in that position, evidently by an oversight, since this was afterwards corrected by authority, in the Standards of 1822 and 1838. The Gloria Patri was omitted after the Easter Canticle, "Christ our Passover," as in the Proposed Book, and it has

never been restored to our Book (!).

It seems strange that our fathers, who could introduce into the American Book, from Bishop Jeremy Taylor, that beautiful prayer with those strong words, "in the

Communion of the Catholic Church," should have accepted from the Proposed Book, in the Prayer for All Conditions of Men, the change to that general expression of the Litany, "thy holy Church universal," for the grand old wording of the English Book, "the good estate of the Catholick Church." Fortunately we have preserved for us in Dr. Smith's correspondence the reasons which at first led to this sad change, and to us who are now outliving those earlier prejudices, and would fain cherish, in every way, our historical continuity and our orthodox Catholic heritage, the special pleading here used appears very weak. Dr. Smith thus writes to Dr. White, October, 1785: "The words 'Good Estate of the Catholic Church,' have been objected to by our Convention here [in Maryland, probably through Dr. Smith's influence], 1st, because 'good estate' may be considered in a worldly sense, and if taken in any other is but an awkward or antiquated expression-and 2dly, the word 'Catholic' although intelligible enough to many, yet it is not approved of by many others, on account of the vulgar Application of it to one particular Church." And again in another letter he says that the change to "thy holy Church universal," would rid "us of the exceptionable word to many, viz., 'Catholic,' and also the awkward words ' Good Estate of the Church,' by which some will say we mean good Glebes and Salaries or Estate merely temporal." If these are the only objections to the ancient phrase, by all means let it be restored at once to our Book. The shallow reasoning here given reminds one of a change advocated by Dr. Smith, and actually adopted in the Proposed Book (!). He writes: "At the end of Morning and Evening Prayer, viz., 'Here endeth the Order of Morning [Evening] Prayer' -Dele words 'Order of'-lest it should be implied that something might yet be prayed which is disorderly" (!!). The title of "The Psalter," at the head of each page of the Psalms, is a marked peculiarity of our American Book, though in accordance with ancient usage, and this page-title, I regret to say, it is proposed in the Book Annexed to abandon for a needless repetition of the

number of the Psalm, in imitation of the modern Irish Book. The word "again" was strangely dropped in the Apostles' Creed after the word "rose." In the Visitation of the Sick, the ancient Interrogative Creed of the English Church was omitted, and the ordinary Declarative Creed, in an interrogative form, was put in its stead, but this was carefully corrected in the Second Standard. A Table of the Days on which Easter will fall, adjusted for two cycles of the moon, from 1786 to 1823, inclusive, was taken from the Proposed Book, and this had been abbreviated by Bishop White, as he states in a letter to Dr. Smith, February 1, 1786, "agreeably to Dr. Franklin's Book," which, he tells us, "has ye said Tables in ye neatest Way of any I have seen." There is a copy of Dr. Franklin's Book in the Congressional Library at Washington, and in Bishop Stevens' library in Philadelphia. It was the joint work of Sir Francis Dashwood, (Baron le Despenser) and Dr. Benjamin Franklin. title is "Abridgement of the Book of Common Prayer, . . . London. Printed in the year MDCCLXXIII." In the new cycles, prepared by Bishop White, as he informs us, he had the mortification afterward to find, that in four instances, his computations were inaccurate, and these errors were in the years 1808, 1817, 1818, and 1819. A new Office for the Visitation of Prisoners, derived from the Irish Book, and a Form of Prayer and Thanksgiving, both of these copied from the Proposed Book, and Family Prayers for Morning and Evening, abridged from Bishop Gibson's Form, were introduced into the American Book. Additional Prayers and Thanksgivings were put after the Daily Morning and Evening Prayer, and in the Office of the Visitation of the Sick, and these were taken from the writings of Bishop Taylor, as is mentioned in a letter from Bishop White to Bishop Brownell, a copy of which is in my possession. Tate & Brady's New Version of the Psalms of David, and twenty-seven Hymns were adopt. ed. The Ordinal, and Articles of Religion were not at first admitted into our Book, and the prose part of it ended with the Psalter. In the Office for Holy Matrimony, the form, "I M. take thee N.," was adopted, after the English Books of that date, instead of the original form, "I N. take thee N.," as given in the Sealed Books. The earliest Prayer Book in which I have noticed this change is a folio edition, Cambridge, Joseph Bentham, 1757, a copy of which is preserved in Christ Church, Cambridge, in this country. In like manner, in Psalm 68.4, of the Psalter, the later form "JAH" was given, where the Sealed Books have "Yea." This change probably began early in the eighteenth century. I have seen the form " Jah" in different Oxford editions, as early as 1701, 1703, and 1715, and the present full form "JAH" in a folio, Oxford, John Baskett, 1718. There was a slight typographical error in the Preface in the word "places" for "place," in the phrase quoted from the English Preface, "those who are in place of authority," and this remained uncorrected till the Book Annexed. A remarkable error, in the insertion of a wrong question and answer at the Receiving of Infants, in the Private Baptism of Children, continued in our Book till ordered to be omitted by the General Convention of 1832.

## PECULIARITIES INHERITED FROM OLD ENGLISH EDITIONS.

The different editions of the English Prayer Book, as published by the University Press of Oxford or of Cambridge, and by the Queen's Printers at London, Edinburgh, or Dublin, differ somewhat from one another in spelling and typography, even at the present day, and much more during the last century. Thus the Oxford editions, following therein the Sealed Books, in the Gospel for Septuagesima Sunday, generally have "peny" with one n; in the Epistle for Sexagesima, they have "journeying;" and in that for Quinquagesima, "no charity;" but the Cambridge and London editions, in accordance with the Manuscript Book, usually have "penny," "journeyings," and "not charity." The present Cambridge editions, in Psalm 107.27, in the phrase

"wits end," have the apostrophe after the s, while the Oxford and London editions, and our Bibles have it before the s. Now our American Book of 1790, being a revision of the English Book, it would be interesting and important to us, if we could know certainly what particular edition or editions were used in preparing our Book, and of what year or years. There are peculiar readings in the American Book, many of which have continued to the present time, and most of these, particularly in the Psalter, may be found in London editions by Mark Baskett, near the close of the last century, as may be seen by examining the folio edition of the same, in 1766, still preserved in the Sacristy of Christ Church, Philadelphia, and an octavo edition in 1765, in my own possession. If one will examine English Prayer Books of the last century, he will find that they almost all read in the Lord's Prayer, "and the Power," and in the General Thanksgiving Prayer "they may shew," instead of "the Power," and "they shew," as they now read, in accordance with the Manuscript Book and the Sealed Books. This proves that the "and" and the "may" were not changes intentionally made in our Book, but were inherited as typographical errors. The "may" was omitted in our Book in 1871, but the "and" is still needlessly retained. The Doxology, and with this wording, "The power," was added to the Lord's Prayer, for the first time, in the original Scotch Book of 1637, and from that it was introduced into the English Book in 1662.

The marginal note to the Prayer for Christ's Church Militant, in the present English Prayer Books, rightly reads, after the Sealed Books, "If there be no alms or oblations, then shall the words [of accepting our alms and oblations] be left out unsaid." In the American Book, after the Proposed Book, in this note, the phrase "[of accepting]" is printed "[to accept]," and the word "out" is omitted before "unsaid." It is possible this was an intentional change, but as that same reading is to be found in a few old English Prayer Books of the last century, particularly in Cambridge editions, as in

1707 and 1813, it is more likely that the American form is a copy of a misprint, and should therefore be corrected. The original language "[of accepting]," dating from 1552, is certainly the more correct phraseology, since it seems to suggest such a division of the phrase as may be requisite, just as though the note said in full, if there are no alms, the words "alms and" are to be left out; and if there be no oblations, the words "and oblations." It is proper to add that in the American Book, in this note, the exact phrase of the text, as given in brackets, is quoted in the note even to the word "and" after "oblations," and this "and" is not found in this note in any old English books which I have examined. However, the "and" might show only an attempt to correct a supposed inaccuracy in the Book copied, and could scarcely prove that the American reading was an intentional change from that of the Standard English Books.

In the English Book, the ancient terms "Mattins" and "Evensong" had always been in use in connection with the Proper Lessons for Sundays and Holy-days. and with the Proper Psalms. These short and expressive old titles were strangely omitted in the American Book, after the Proposed Book, and "Morning" and "Evening" substituted for them. There could scarcely have been any valid objection to their use, for they are both of them ancient terms, and "Evensong" is distinctively an Anglican use. It is possible, however, that their omission may have been a typographical error after an old English Book, for Stephens (vol. i., p. ccxx) calls attention to a Cambridge edition of 1816 in which "Morning" and "Evening" had been printed in their stead, and I have myself observed the same in copies of the Cambridge Press in 1813 and 1815; and besides, the American Book has adopted that same short form of the Cambridge Book, "Morning" and "Evening," where "Mattins" and "Evensong" had been, and not the full title "Morning Prayer," "Evening Prayer," as it is given in the Daily Calendar, in both the English and American Books. It is to be hoped that these good

old words, "Mattins" and "Evensong," may be speed-

ily restored to us in our American Book.

A minute examination of the different English editions between 1790 and 1810, as of the Oxford University Press, for instance, will show very many slight verbal and typographical corrections, and these corrections are in keeping, so far as I can learn, with the reading of the Manuscript Book annexed to the Act of Uniformity in Thus, among other things, Psalm 119 is now numbered in all English Books in continuous verses from 1 to 176, in conformity to that Manuscript Book, and not in sections of eight verses each, as it was given in the books of last century, after the Sealed Books, and as we have wrongly inherited. These inspired alphabetical divisions of eight verses are sufficiently marked by their appropriate Latin headings, so that it is to be hoped we may soon have this Psalm numbered in our Book also, in continuous verses, for ready reference to them.

#### TWO IMPRESSIONS OF THE FIRST EDITION.

There have been at least two impressions of our first edition, and both of these, so far as one can learn, were printed in the year 1790 only. In my own copy of the editio princeps of 1790, which I may call a prima impressio, the Second Morning Lesson in the Calendar for November 29 reads, "Acts 10 to v. 31," following in this the Proposed Book of 1786, instead of "to v. 34," as in several other copies of 1790 which have been examined. "To v. 34" is the correct reading in the Second Standard in 1793, and it had been correctly printed also, even in my copy, in the parallel Lesson for May 29, where again the Proposed Book had read "to v. 31."

#### A SECOND EDITION OF THE FIRST STANDARD.

There is a second edition of our First Book, printed in Philadelphia in 1791, by the same publishers, Hall &

Sellers. This is also a duodecimo volume, but a little less in size than the first edition, and in somewhat smaller type, but corresponds almost exactly, page for

page, to the former edition.

There are, however, some decided typographical and verbal changes in this second edition in 1791. The Lesson in the Calendar for November 29 is of course corrected. In the beginning of the sixth paragraph of The Preface, the word "aforesaid" is inserted. and the clauses are transposed as follows: "In consequence of the aforesaid resolution, the attention of this Church was, in the first place, drawn to those alterations in the liturgy which became necessary in the prayers for our civil rulers." The edition of 1790 concludes after the Hymns with the words: "End of the PRAYER BOOK," and this had also been the conclusion in the Proposed Book, but the edition of 1791 and the Second Standard of 1793 both close simply with the usual expression, "THE END." No doubt this change was made at the suggestion of Bishop White, for in his Memoirs, and in his Report to the General Convention of 1821, he calls attention to the fact that the Prayer Book proper ends with the Psalter, and not with the Hymns. Certain instructions, also, of the General Convention of 1820 declare: "2. That the Book of Common Prayer be distinguished from the Book of Psalms in Metre, the Articles of Religion, and Sundry Offices set forth by this Church, . . . all which are of equal authority with the Book of Common Prayer, but which, when bound up with it, ought not to appear as parts thereof."

The entire phrase, "which we now offer unto thee," was printed in this edition of 1791, as in that of 1790, in small capitals, and continued to be so printed in impressions of this edition, even up to the year 1800, and perhaps to a later date (!). "He descended into Hell," in the Creed, was uniformly printed with brackets, but the italics in this edition of 1791, in that phrase, varied with different impressions. A copy in the Whittingham Library has "He descended into Hell" in italics in the

Morning and the Evening Prayer only, and in ordinary type in the Catechism, and in the Visitation of the Sick. My own copy of this second edition has it in italics in the Morning Prayer only. In most of the other copies which have been examined, the italics are in the Evening Prayer only. In Dr. Harison's copy, it is not in italics anywhere, though the brackets are continued, as in all the other copies. A separate edition of The Catechism, octavo, Philadelphia, Z. Poulson, Jr., M DCC XCII., has that phrase in brackets, but not in italics. The Second Standard of 1793 omitted the brackets as well as the italics.

The Second Standard follows this second edition of There are other slight changes from the edition of 1790 in that of 1791, which, since they appear also in the Second Standard of 1793, would lead one to infer that this edition of 1791, rather than the editio princeps of 1790, was followed in the Standard of 1793. Thus, in Psalm 73.18, "Oh" of 1790, was changed to "O" in 1791 and 1793, and this change continues through our present Standard of 1871, though in the Book Annexed it is proposed to change the spelling back again to "Oh." In Psalm 38.4, "burden" was altered to "burthen," and this spelling continued till the Standard of 1845. In the Confession at Sea, "burden" was altered, in like manner, to "burthen," and this alteration continued till the Standard of 1838. In Psalm 114.7, the commas before and after "thou earth" were omitted in the edition of 1791, probably by an oversight, and they continued to be wanting till the Standard of 1845. In Psalm 56.3, "sometime" was printed "sometimes," and that change remained till the Standard of 1845. In the Table of Contents, in "The Ministration of Private Baptism of Children, in Houses," a comma was inserted after "Children," in the edition of 1791, and the comma continues to the present time. The only special change made in the edition of 1791, so far as has been observed, which was not followed in the Second Standard of 1793, was in the peculiar transposition of the first clauses of the sixth paragraph of the Preface.

FOLIO AND QUARTO "PARTIAL" EDITIONS OF THE FIRST STANDARD.

Besides the two duodecimo full editions of 1790 and 1791, by Hall & Sellers, in Philadelphia, there are reprints in folio and quarto (and perhaps in octavo also) of "the parts in general use," as ordered by the General Convention of 1789. It is only within the last year that the writer has been able either to hear of, or to see, any of these partial editions. They include the Calendar of the Lessons, The Morning and The Evening Prayer, The Litany, The Occasional Prayers and Thanksgivings, The Communion Office, A Form of Prayer and Thanksgiving, The Ten Selections of Psalms, Selections for Holy-Days, and a few of the Hymns. These partial editions were evidently printed with the intention of their being inserted in old English Prayer Books then in use. And we find that they were actually so used in many of the older parishes of our land. In S. John's Parish, Baltimore and Harford Counties, Md., there is a folio copy of an English Prayer Book, Oxford, John Baskett, 1718, in good preservation, in which is inserted and bound up with it, a folio edition of "the parts in general use" of our first American Prayer Book, and in common with that first Standard, it has "He descended into Hell" in italics and brackets, and the phrase "which we now offer unto thee" in capital letters throughout. Similar old folio English Prayer Books, with this American folio partial edition bound up with them, or pasted in them, are to be found at Christ Church, Boston; Christ Church, Cambridge; and S. John's Church, Portsmouth, N. H. A unique copy of this folio partial edition-corresponding exactly in the portions given, in typography and spelling, to the duodecimo Standard editions of 1790 and 1791, in its original blue paper cover, and containing sixty-four printed pages-may be seen in the Rector's library of the late Dr. Edson, at Lowell, Mass. A copy also of the quarto partial edition is preserved in the American Antiquarian

Library, at Worcester, Mass., and this copy was given to that library by the famous early printer Isaiah Thomas, who was called by Franklin the Baskerville of America, and he affirmed that it had been printed by the old firm of Thomas & Andrews. These partial editions have no name or date on them. It is doubtful whether an octavo partial edition was ever published, as no copy of it is known to be preserved. In one of the folio English Prayer Books, at Christ Church, Boston, a portion of the full folio American Book of 1795 is inserted, together with a portion of the partial folio, corresponding to the edition of 1790. In both the folio and quarto partial editions, the Lesson for November 29 is correctly printed, "to v. 34."

### THE SECOND STANDARD, IN 1793.

The Second Standard Prayer Book is an octavo edition, ordered by the General Convention of 1792, and published in New York, by Hugh Gaine, in 1793. This is a most important Standard, for it is the first that was so named by Canon, to wit, Canon III. of 1801, and it was published with an authentication of it in these words, "By the Direction of the General Convention," placed at the foot of its title-page. In the General Convention of 1792, a joint committee was appointed-consisting of Bishops Seabury and White, Rev. Dr. Magaw, and Dr. Benjamin Moore, afterward Bishop of New York, Rev. Mr. Jarvis, afterward Bishop of Connecticut, and Colonel Ogden, John DeHart, Esq., and Dr. Hindman—who were directed "to compare the printed edition of the Book of Common Prayer with the original acts of the last General Convention," and their report was considered "by paragraphs," and, "with amendments," was passed by both houses. A joint committee, composed of Bishop Provoost, Rev. Drs. Moore and Beach, and Dr. Johnson, was also appointed "to superintend the printing a correct edition of the Common Prayer Book." We may, therefore, conclude that this edition represents the matured

views of our American revisers. It is printed in clear, large type, but has very many typographical errors. In it the brackets and italics in the Apostles' Creed, in "He descended into hell," are both removed. change was evidently made by special order of the Convention of 1702, but it seems to have been only a compromise, or "some such composition," as Bishop White calls it, and does not fully meet the original intention of the House of Bishops, which designed the rubric to be merely "explanatory," as we gather from Bishop White, and not permissive of an omission or a substitution, and, therefore, neither brackets nor italics would be required in the text of the Creed. Through the wise action of our Bishops in the last General Convention, a further correction was made in this matter, in the Book Annexed, and an omission in the Creed will be no longer permitted, though a substitution in it is, unfortunately, still allowable. May not this rubric be further amended, and be made "explanatory" only? In the Office for the Visitation of the Sick, the ancient interrogative form of the Creed is deliberately restored. This was a most timely and important restoration. That grand phrase, "which we now offer unto thee," in order to quiet captious objectors, is printed in the same type as the rest of the prayer, both in this Second Standard Prayer Book, and in the Ouarto Standard of the Ordination Offices, published as a separate volume, and for the first time, in 1793. This change of type, from capitals to lower-case, scarcely advisable under any circumstances, is to be much regretted, because the capital letters of that phrase, not only gave emphasis to the spiritual reality of the Memorial Offering, but also served to connect our American Eucharistic Office with its Scotch original. In this Centenary of Bishop Seabury's consecration, we should have been glad to show our Scotch brethren that we still had that important phrase in its capitalised form, as it is with them. However, Bishop White gives us the supposed necessity for the change. He states that the restoration of the Oblation and the Invocation to our Book "has been since objected to by some few among us." To show that a super-

stitious sense must have been intended, they have laid great stress on the printing of the words 'which we now offer unto thee' in a different character from the rest of the prayers. But this was mere accident. The Bishops being possessed of the form used in the Scotch Episcopal Church, which they had altered in some respects, referred to it to save the trouble of copying. But the reference was not intended to establish any particular manner of printing; and, accordingly, in all editions of the Prayer Book since the first [the editions of 1790 and 1791 being evidently considered as one and the same edition, the aforesaid words have been printed in the same character with the rest of the prayer, without any deviation from the original appointment." Would not this be an appropriate time in which to restore the capitals, as in the Scotch Book? In the Invocation, in the clause "with thy Word and Holy Spirit," the important expression "thy Word" is printed with a capital "W," which is continued to the present time. In the rubric of the Confirmation Office, before the prayer "Defend, O Lord," the word "hand," of the First Standard, 1790, 1791, and of the English Book, is changed to "Hands," "he shall lay his Hands." It is doubtful whether this is a typographical error, or an intentional change. But as it was not corrected in the next Standard, and conforms to the *later* Scotch Books, and to actual Scripture language, it was probably a change made by order of the Convention. In only one edition of our Prayer Book since 1793 have I found the original word "hand," and that is in an edition certified to by Bishop Claggett, "Croom [Md.], March 15, 1815." The word "shew" is modernised, and spelled everywhere "show." In the Calendar, "Civil and Religious Liberty," opposite July 4, is omitted. The pagetitle of "Private Baptism of Infants," after the English Book, is changed to Private Baptism of Children, to make it conform to the title of the office, both here and in the Table of Contents. It might have been better to have changed the title of the office to the form of the page-title, since "children" are less likely to be baptised in private than "infants." In the Public Baptism of In-

fants, the Doxology which had been added to the Lord's Prayer, in our First Standard, 1790, 1791, probably by an oversight, is omitted. In the rubric after the Collect for Saint Stephen's Day, the word "unto," of the English Book, and of our First Standard, is changed to "until," and this is still continued in our Book, although probably a typographical error, since "unto" is not changed elsewhere, as in the rubric after The Circumcision. "Ever one God," in the conclusion of the Collects for Advent III., Christmas, Epiphany VI., Septuagesima, Good Friday, and Easter, is punctuated as at present, where in the First Standard it had been printed "ever, one God," following in this particular the Proposed Book and the Oxford edition of 1775, by which Dr. White tells us he had punctuated that book, "as ye said edition appears to have been made on great Deliberation in that Seat of Letters." It is possible that the comma after "ever" may be correct, as modifying the verbs "liveth" and "reigneth," but strictly speaking "ever" is tautological, because it is the equivalent of "world without end," and seems merely to be inserted for euphony. The Latin is simply unus Deus. This matter is somewhat discussed in "Notes and Oueries," Fifth Series, vol. x., pp. 431, 471, 472. The Litany is very strangely punctuated, "O God, the Father of Heaven;" both in this Second Standard and in the Ouarto Standard of the Ordinal, perhaps at Bishop Provoost's suggestion, who was on the committee for printing; and this clause was not changed to its present form, "O God the Father of heaven," till the Standard of 1845. Our First Standard, 1790, 1791, including the folio and quarto partial editions, was probably more correct in reading "O God the Father, of heaven," after that valuable Oxford quarto edition of 1775, copies of which may still be seen at Christ Church and S. Peter's Church, Philadelphia. The First Book of Edward VI.; Whitchurch, June; and The Ordinal, 1549, Grafton (New York reprint), had each of them a similar punctuation. The capitalisation---of the beginning of each liturgical clause in the Collects, and in the Confession in the Office of the Holy Communion—which had been care-

fully preserved in our First Standard, is omitted in this Second Standard of 1793, probably through the publisher's want of familiarity with liturgical printing. carefully corrected in the Standard of 1845. 107.27, after Oxford and London Prayer Books, and our English Bible, an apostrophe is inserted before the s in the phrase "wit's end." In the last Standard of 1871, as in our first Standards, after old English Prayer Books, the apostrophe was entirely omitted. In the Book Annexed, in accordance with Cambridge Prayer Books, the apostrophe is inserted after the "s." The meaning of the phrase, from the original Hebrew, would seem to be best explained by the form given in our Books from 1793 to 1871, with the apostrophe before the "s," "and are at their wit's end," that is, at the end of their wit or wisdom, or. as the margin of our Bible explains it, "all their wisdom is swallowed up." In Psalm 68.27, "Zabulon" is spelled "Zebulon," and this continued till the Standard of 1845. Most of the careless typographical errors of this Second Standard have long since been corrected, chiefly in the Standard of 1822, yet two of them remained till changed in the Book Annexed, to wit, in Psalm 72.17 "amongst" to "among," and in Psalm 102.20, "mourning" to " mournings." Hugh Gaine, the printer of this Second Standard, came to this country in 1750, and died here April 25, 1807, aged eighty-one years.

# THE THIRD STANDARD, IN 1822.

The Third Standard is an octavo volume, published in Philadelphia by S. Potter & Co., in 1882, from corrected stereotyped plates of the Common Prayer Book Society of Pennsylvania. This Standard is authorised in advance by the single Canon of the General Convention of 1821. It has the following certificate on its second page:

September 2nd, 1822.

WE certify, that this edition of the Book of Common Prayer and Administration of the Sacraments, &c., is published as the Standard edition of the said Book.

WM. WHITE, FRED'CK BEASLEY,
BIRD WILSON, W. MEREDITH,

Committee of the General Convention.

This edition was very soon after this date published by the Society for the Advancement of Christianity in Pennsylvania, that Society having purchased the plates from the Common Prayer Book Society, in October, 1822. A short report of this Committee was made to the General Convention of 1823, and in it they say that they have certified to this edition, under date of September 2, 1822. This Standard being a correction, by an authorised Committee, of an existing stereotyped edition, mentioned in the Canon of 1821, a comparison of the edition after correction, with an impression before revision, will enable one to see each minute change made by the Committee. The original edition was published in Philadelphia by "S. Potter & Co., for the Common Prayer Book Society of Pennsylvania, W. Fry, Printer, 1818," with a certificate of "Bishop White, Philadelphia, March 3, 1818." But the plates from which it was printed were stereotyped by D. & G. Bruce, New York, and were ordered from them by the Prayer Book Society, in February, 1818. There is also an earlier edition from these same stereotyped plates of D. & G. Bruce, published in New York: Printed and Sold by T. & J. Swords, No. 160 Pearl Street, 1818. with Bishop Hobart's certificate, New York, January 2, 1818. This is the first of the Standard Books which has the pages numbered throughout, and it contains 268 pages to the end of the Psalter, in all 392 pages to the end of the Hymns, with Table, etc.

#### THE FIRST BOOK STEREOTYPED IN AMERICA.

From Lippincott's "American Encyclopædia of Printing" we learn "that to David Bruce, a Scotchman by

birth, but for many years a resident of New York, belongs the honor of introducing stereotyping into America." In 1812 he visited England, and acquired by purchase a general knowledge of that art, and in 1813 brought it to this country. He was associated with his brother George, under the firm name of "D. & G. Bruce." According to Lippincott, the first work stereotyped in America, a New Testament in bourgeois, was completed by them in 1814. But Munsell, in Thomas's "Printing in America," affirms that the larger "Catechism of the Westminster Assembly," stereotyped and printed by J. Watt & Co., of New York, in June, 1813, claims upon its title-page to have been the first work stereotyped in America. There is a duodecimo edition of the Prayer Book, stereotyped by Bruce, New York, with certificate of July 2, 1816, from the Stereotype Press of the Auxiliary New York Bible and Common Prayer Book Society. There is another duodecimo edition, stereotyped by E. & J. White, New York, with certificate of September 9, 1817. This octavo edition, stereotyped by D. & G. Bruce, New York, with certificates of New York, January 2, 1818, and Philadelphia, March 3, 1818, is, therefore, among the earliest of American stereotyped Prayer Books. In England, the first work printed after the stereotype process was issued from Cambridge, in 1807; whilst the earliest production of the Oxford Press bears date 1809.

#### PECULIARITIES IN THE PRE-STANDARD OF 1822.

Among the many verbal or typographical peculiarities, errors, or changes made in the original edition of 1818, and tacitly inherited by the Standard of 1822, the following may be mentioned. The rubrics, for the first time, were not printed in italics, as they should have been, and this error was continued till corrected in the Standard of 1845. In the phrase "This is my Body—Blood," the capital "T"—of the First Standard, 1790, 1791, including in it the folio and quarto partial editions, and of the Second Standard in 1793, including in it the

Quarto Standard of the Ordinal, in 1793—was changed to a small "t," entirely without authority, for this edition should have followed the Second Standard of 1793, and

this error has never since been corrected (!!).

The Roman notation of the Psalms in the Psalter and of the Days of the Month, from the earlier Standards. was changed to the more legible but less dignified Arabic figures. In the Order of Confirmation, in the Collect after the Lord's Prayer, "everliving" was misprinted "everlasting," as it was also in the Ordinal, in the Prayer for Christ's Church, but this last error was inherited from a misprint in the Quarto Standard of the Ordination Offices of 1793. The reading, "And grant that all they who," of the First and Second Standards, and even of the Proposed Book, in the Prayer for Christ's Church, was changed to "all those who," but this change had already been made in the Quarto Standard of the Ordinal, 1793, and also in Hugh Gaine's folio complete edition of 1795. The marginal note to that prayer was, for the first time, placed at the bottom of the page, and has not since been restored to its proper place (!). The old marginal note to "Holy Father," after Sursum corda in the Office of Holy Communion. which had been put in the body of the page in our first Standards, was also removed to the bottom of the page. The very peculiar spelling, in the Gospel for Advent I., of the word "cloaths," of our first two Standards, and found also in an Oxford edition of 1715, was corrected to "clothes," after the Bible version. The correct Latin heading to Psalm 35 in the Psalter, "Judica, Domine," of the earlier Standards, was wrongly changed to " Fudica me, Domine," and this error is still continued, even in the Book Annexed (!). In Psalm 100.1 of the Psalter, the word "ye" was inserted, "O be ye joyful," and this was not dropped till several years after our last Standard of 1871. In Psalm 104.11, the word "the" was interpolated in the phrase, "All the beasts of the field," and this is still our reading, though it has been rightly corrected in the Book Annexed to "All beasts." In the Venite, both as a Canticle and as a Psalm, at the

Book. In Psalm 83.9, the old form "Madianites" of the English Book and of our first American Standards (as in Acts vii. 29, "Madian" is used) was changed to "Midianites," and it so continues to the present time.

midiantes, and it so continues to the present time.

# THE CHANGES AUTHORISED IN THE THIRD STANDARD OF 1822.

The changes made by the Committee in the edition of 1818 for the Standard of 1822 are not many, but some of them are very important. In the Table of Fasts, "The Season of Lent" is corrected to "The Forty Days of Lent," as had been suggested by Bishop White in his report to the General Convention of 1821. Golden Numbers in the Calendar for March and April are unnecessarily omitted, but were restored again in the edition of 1831, which was afterward made the Standard in 1832. For the first time in the history of our American Books the word "Amen" was occasionally printed in Roman type, when the Minister and the People, or the Minister alone, repeated the preceding words, as after the Lord's Prayer, Confessions, Creeds, the last Prayer for Ash-Wednesday, the Formula of Baptism, the Reception and the Signing of the Child, the Confirmation Prayer, "Defend, O Lord," the Declaration pronouncing the persons "man and wife," and the first Blessing in the Visitation of the Sick, "The Almighty Lord." The Confirmation Prayer in our American Books, had no "Amen" at all, even in italics, until this Standard of 1822, when "Amen" was added, and, which should be noted, was printed in Roman type. In the Public Baptism of Infants, after the Prayer introduced by the words "let us . . . give thanks unto him, and say," "Amen" is printed in Roman character. It would be interesting to know certainly to whom we are indebted for this most important change of type, in these

special cases.

It was evidently not done through Bishop White's influence, for he tells us long afterward, in his remarks on this subject in the General Convention of 1835, "As for the question of 'Amen,' the author must confess himself not furnished with sufficient information. does not know any rubric or canon prescribing the difference of type." Most probably, therefore, the change was accomplished under the direction of Mr. William Meredith, one of the Committee on this Standard, since it was on his resolution, in the Convention of 1835, that action was then taken on this same subject. In the rubric before the Absolution in the Forms of Prayer to be used at Sea, the word Minister is changed to Priest. This change was certainly made by the Committee, and evidently at the suggestion of Bishop White, who was one of the Committee. In a long and valuable letter from Bishop White to Bishop Brownell, on the alterations in the Prayer Book, dated "Philadelphia, Febru ary 8, 1822," the original of which is now owned by Mr. Rollinson Colburn, of Washington, D. C., the Bishop writes: "Forms for Sea. It must have been from oversight that ye word 'Minister,' designating ye Person who is to pronounce ye Absolution, which had been used here and elsewhere in ye Proposed Book, was not changed to 'Priest.'" This exact statement is also given by Bishop Brownell in his valuable Notes to his Family Prayer Book, together with an additional clause, "as it has been in other parts of the Liturgy," which is wanting in the original letter, and, therefore, was added by Bishop Brownell himself. In Psalm 67.5 of the Psalter, the word "yea" is inserted, to make the Psalm correspond to the Canticle in the Evening Prayer. In Bishop White's Report to the General Convention of 1821, on corrections in Hugh Gaine's Prayer Book, the Second Standard, he mentions that the word "ought" in the Gospel for Advent I. should be changed to "aught." From this it appears that the peculiar spelling of the First Standard in the word "aught" in that Gospel

(which had been changed in the Second Standard of 1793 to "ought"), and also in the Gospel of Trinity VI., was due to Bishop White. In the Standard of 1822 "naught" is given in the discretional part of the Litany, as well as in Psalm 144.4, and "aught" in both of these Gospels. This spelling is again altered—in the Litany and Psalm, in the Standard of 1845, and in those Gospels, in the Standard of 1871-to "ought" and "nought," that they might conform to the spelling of the Authorised Version of Holy Scripture. Two new Cycles for Easter, from 1824 to 1861 inclusive, prepared by Bishop White, and printed in the General Convention Journal of 1821, are inserted in place of the old Cycles. This was the First Standard edition which, besides the Prayer Book proper, the Psalms in Metre, and the Hymns, contained in it—The Ordination Offices, established in 1792, but at first only published in a separate form, in the Quarto Standard of 1793; The Form of Consecration of a Church or Chapel, established in 1799, and a Prayer of Convention; Articles of Religion, established in 1801; An Office of Institution, established in 1804, and set forth with alterations 1808; and the thirty additional Hymns, set forth also in 1808.

The Ordinal adopted is the same as that in the English Book, "with sundry alterations." From Bishop White we learn that "The Form of Consecration of a Church or Chapel is substantially the same with a Service composed by Bishop Andrewes, in the reign of James the First; and since commonly used by the English bishops in such Consecration; but without the authority of Convocation or of Parliament;" and that the Prayer to be used at the Meetings of Convention is "the same which has been provided by the Church of England." The "Articles of Religion" are the same as those of the Church of England, except that Article XXI. is omitted, "because it is partly of a local and civil nature, and is provided for, as to the remaining part of it, in other Articles." The important word "all" in Article II., "for all actual sins of men" is omitted in our First Standard of the Articles, in 1802, after an error in the

English Prayer Books of that date, and is still wanting in our Book (!). It was rightly inserted in the Book Annexed, and the correction was accepted by the House of Deputies, but unfortunately it was defeated in the House of Bishops, probably through want of decided information on the subject. The "all" undoubtedly belongs to the clause, and should be restored to it. "An Office of Institution" was at first called "An Office of Induction," and the use of it was made obligatory; but afterward, from the objection of sundry Dioceses to that feature in it, its use was made optional only, the word "shall" being changed to "may," in the first rubric thereof. This Office is copied from one which was prepared by the Rev. William Smith, D.D., then of Connecticut, a nephew of the celebrated divine of the same name, and called by him, in one of his letters to Dr. White, "My learned but zealous high Church little Friend and Relation (as he says), Mr. Smith, of Somerset," Md.

# THE FOURTH STANDARD, IN 1832.

The Fourth Standard is a royal duodecimo stereotyped edition, published in New York, by the Protestant Episcopal Press, in 1832, being, with a few very slight changes, from an edition by the same in 1831, with Bishop Benjamin T. Onderdonk's certificate, New York, August 1, 1831. This edition was made the Standard by the General Convention of 1832, and authorised by Canon XLVI. of 1832, and Canon VI. of 1835. The original edition was of course supposed to conform to the previous Standard of 1822. Its chief peculiarity was in printing, in capital letters throughout, the sacred words, God, the Father, the Son, the Holy GHOST, JESUS, CHRIST, and the LORD, wherever they occur in the Prayer Book. This peculiar feature is continued in the Standard of 1832, but it was not reproduced afterward. "Amen" was printed in Roman type, in addition to the places given in the Standard of

1822, after Ter-Sanctus, the giving of the Ring in Holy Matrimony, and the Ordination Prayer for Priests and Deacons. When it was made the Standard, "Amen" is put in Roman character after Gloria in Excelsis also. The Golden Numbers were restored to the Calendar in March and April. In the prayer for Christ's Church, in the Ordinal, "everlasting" was changed to "everliving." In Psalm 76.2, the word "Jury," of all the earlier Standards of the old English Prayer Books, and of the Sealed Books, was changed to "Jewry," the spelling of the Bible, and of the modern English Prayer Books, after the Manuscript Book of 1662. When it was set forth as the Standard, in the "Comfortable Words" in the Office of Holy Communion, the old spelling "travel" of the Sealed Books is correctly changed to "travail," after the Manuscript Book, and an error in the new Cycle for Easter. introduced in 1821, and continued in the Standard of 1822, is corrected, "March 16" being changed to "April 16," for Easter-day, 1843. Most of these changes, though at first unauthorised, may be considered, in the main, as improvements. However, there were some typographical errors introduced, which one may well regret. In the Prayer of Consecration in the Holy Communion, the important word "Do," in "Do this," was, for the first time in the American Book, printed with a small "d," and this error is unfortunately still continued in our present Book, and in the Book Annexed (!!). In like manner, "New Testament," in the same prayer, was begun with a small "n" and a small "t," and this is continued in the Standard of 1832, and in that of 1838, but it was corrected in the Standard of 1845. It is interesting to know that the original edition of this Standard was prepared in part by the learned Bishop Whittingham, of Maryland, when he was quite a young man, and had only recently been admitted to Priests' Orders. In a copy of this Standard, published in 1838, and now in the Whittingham Library, Baltimore, there is written on the fly-leaf, in Bishop Whittingham's well-known hand: "The plates from which this edition is printed were corrected, as the copy from which they

were set up had been prepared, by J. V. Van Ingen and W. R. Whittingham."

CHANGES ORDERED BY THE GENERAL CONVENTIONS OF 1832 AND 1835.

The House of Bishops in the General Convention of 1832 "declared" that in "the Private Baptism of Children, when a child already baptised is to be received into the congregation of Christ's flock, the Ouestion and Answer there given, "Wilt thou be baptised in this faith? That is my desire," was "a typographical error" in previous editions, inherited from our first Book, and "should be omitted in future editions of the Prayer Book." This correction is, therefore, made, for the first time, in this Standard of 1832. The General Convention, in 1835 also, after due notice to the several Dioceses in 1832, ordered the Prayer at the Meetings of Convention to be removed from the end of the Form for Consecration of a Church or Chapel, and, with an additional rubric to it, to be placed after the Occasional Prayers; and in the third rubric before the Office of the Holy Communion, it ordered the word "north" to be changed to "right," and this is accordingly done in later editions of this Standard, published after the year 1835.

"NORTH SIDE OF THE TABLE" CHANGED TO "RIGHT SIDE."

It may be well to call attention to this deliberate change of "the north side" to "the right side of the Table." It is one of the earliest decided alterations ever made in our Prayer Book, after reference to the separate Dioceses, according to constitutional requirement. We learn from Bishop White's Memoirs, that the change was made chiefly because many of the churches did not have their chancels toward the east, and so had no "north side." It is probable, too, that "right" was intended to represent the same relative

position as "north" had before done. Indeed, Bishop Benjamin T. Onderdonk, of New York—the proposer of the change—affirms as much. In his Annual Address to his Convention in 1835, he says: "The substitution of the word 'right' for 'north,' in the rubric immediately preceding the Communion Service, was also adopted. This, undoubtedly, was the original design of the rubric; it having had reference to the old mode of having the Communion Table uniformly at the east end of the church. In this case the north side—the table facing the people—was always the right side [?], the position designed to be occupied by the principal officiating minister.

"While on this subject, I cannot avoid noticing the impropriety, occurring in too many of our churches, of having the Altar so constructed, or so placed, as that neither side can be occupied, but the minister can offici-

ate only in front of it."

But whatever may have been the original intention in this change, it must be evident now from the full history of these terms, as it has been published to this generation, that "north side" did not mean "north end," and that "the right side" in old English usage was always the south side of the front. In corroboration of this statement, I need only refer to Scudamore's Notitia Eucharistica; Blunt's Annotated Prayer Book, revised and enlarged edition, 1884; and the exhaustive article of Herbert Gedney, Esq., on "The Position of the Priest at the Altar," published in New York, in The Church and the World, for April, 1873.

It is at least doubtful what "north side" did then mean in the English Prayer Book, from which we inherited it. The north side of the Table, as there used, is not an ancient liturgical term, but was introduced into England in the Book of 1552, when, through the influence of extreme Continental reformers, the Altars were placed table-wise in the church or chancel—that is, with their ends east and west. The Celebrant, who, in the old Latin Service, had formerly begun the Office at the right or south part of the west side of the Altar, would

naturally go to the north side, with his right hand toward the people, when the Altars were moved tablewise, rather than to the south side; but since the Altars in God's good Providence have now for centuries been almost universally returned to their ancient position Altar-wise, with their ends north and south, there is properly no longer any "north side of the Table." many churches, therefore, in England and in this country, the Celebrant now begins the Communion Office at the right or south side, as was always done in olden times. If we desire to follow ancient liturgical usage, "the right side" in the American Book would certainly require us to begin at the south side of the Altar. the old Sarum Latin Service in England, from which we derive our Liturgy, dextrum cornu or the right side, was always the Epistle or south side; and so it was in the Roman Missal, also, till the Pontifical of 1485 (!). Since that time, when the Crucifix first began to be commonly placed on the Altars, the right side was changed to mean the north or Gospel side, that being henceforth the side to the right of the figure of our Lord, as it faces west; whereas, from the earliest times, the right side always meant the side to the right of the Celebrant (and people), as he (and they) faced east that is, the south or Epistle side. It is better for us, as primitive Catholics, to accept the ancient meaning of the right side, as the south side of the Altar, rather than to adopt that modern Roman view of it, as the north side, meaning thereby to the right of the Crucifix, as it looks westward toward the people. And the Roman Church herself, though she has recently, for a purpose, reversed the old meaning of the words right and left of the Altar, has nevertheless not changed the place for beginning her Office, but begins it, as before, on the Epistle or south side, notwithstanding she now calls it by a new name—the left side, sinistrum cornu.

Again: the Hebrew word for right means also south, since the Jews, in defining the cardinal points of the compass, faced the east, and the south would necessarily be on their right hand. "The angel," recorded by S.

Luke as "standing at the right side of the Altar of incense," was therefore standing at its south side. The lewish Temple, unlike our Christian churches, had its entrance from the east, and it is accordingly the more remarkable that the south side of the Altar should be the right side, because to the lew, at entrance, it would be on his left, as we would say; but with us, the right side, if the south side, according to ancient usage, would be also on our right hand, since we enter from the west, and look toward the east. In like manner, the two brazen pillars at the entrance to the Temple of Solomon, Jachin and Boaz, symbolical, perhaps, of "the pillar of the cloud" and "the pillar of fire," are expressly called "the right" and "the left" pillar, and are respectively on the south and the north side, although to the left and the right of those entering into the Temple. In confirmation of these statements, I would refer to Dr. Smith's "Dictionary of the Bible" under the word "EAST," and to Bishop Patrick's "Commentary" on I Kings vi. 8, and vii. 21. In every point of view, therefore, "the right side of the table" in the American rubric, so remarkably and unanimously changed for us in 1832 and 1835, may best be understood as directing the Priest to begin the Liturgy at the Epistle or south side, as he would naturally do, in accordance with both Scripture language and the most ancient liturgical usage. I have asserted that "the north side of the Table," as used in the English Book, is not an ancient or usual liturgical expression. I must admit, however, that the phrase "the north side," is found in a rubric in one Latin translation of the Syriac Liturgy of S. James, but there it is used, not so much with reference to the Altar, as to the Sanctuary, for the Priest, after his own Communion, and carrying the Sacred Gifts, is directed to go from "the north side" to the south side: "Sacerdos portat discum in dextra sua, calicem in sinistra, venitque a latere septentrionali ad australe"-probably with a view to his communicating the faithful from the south or Epistle side—that is, from left to right, in accordance with ancient custom. The rubric of the Roman Missal

(x. 6) directs the Priest, in communicating the people, to go to the right of the communicants, "hoc est ad latus Epistolæ," and the rubric of the Rituale is to the same effect, "incipiens ab iis qui sunt ad partem Epistolæ." It is accordingly more ritually correct, as well as more seemly and convenient, for the Priest to begin to communicate the faithful from the south end of the chancel-rail.

Another rubric in that same Latin version of the old Syriac Liturgy directs the Priest to incense thrice each, the middle of the Altar, which it calls "the Table of Life," "the north side of it," and the south side of it. "Facta genuflexione, incensat ter partem mediam mensæ vitæ, quæ est typus Patris: tum cornu septentrionale ejusdem mensæ totidem vicibus, quod est typus Filii; ter etiam cornu australe, quod est typus Spiritus Sancti." The curious symbolical meaning here given to the parts of the Altar may be noted; the middle being a type of the Father; the north or left side, of the Son; and the south or right side, of the Holy Spirit. That the south side is here the same as the right side, and therefore that the north and left are equivalent, is proved by a comparison of a preceding rubric in this Office with one in another copy of the Office, where the same action is described. The first rubric directs the Priest to place the Eucharistic spoon on the south side, upon the consecrated slab; the second, to put it on the right side. " Cochlear, in latere australi, supra tabulam consecra-[Sacerdos ponit] cochlear in latere dextam deponit. tro" [Renaudot's Liturg. Orient., 1847, vol. ii., pp. 2, 13]. Bishop Beveridge, also, has been misquoted and miscited by Wheatly, as showing "that wherever in the ancient Liturgies the Minister is directed to stand before the Altar, the north side of it is always meant;" and reference is given to the *Pandects*. Dr. Hoppin tells us the Annotations were meant, and Scutlamore affirms there is no foundation for Wheatly's statement, and says, "Bishop Beveridge is there merely explaining that in the description of a Greek Church 'the north side' is equivalent to the right part, that is, the part to the

right of the Bishop as he sits at the back of the Altar."

A supposed instance of the use of the north side is also adduced in a careless translation by Dr. Neale of a rubric from the Mozarabic Liturgy; "the Priest goes to the north side of the Altar," but here in the original it is "the right side," "eat ad cornu altaris dextrum" [Migne's Patrol. Latin., t. 85]; and as the rubric was composed long before the year 1485, when the modern change of terminology was introduced, it must mean the south or Epistle side. It is scarcely necessary to enter at length into the vexed question, whether in the rubric the word "side" means "end." Historically and liturgically it certainly refers to the long side of the Altar, whether fronting west or north, and the wrong practice of many Priests for many years cannot alter its technical meaning.

Published statements of persons living soon after this new phrase, "north side," was introduced, assure us that side was intended to be distinguished from end. "The right side of the Altar," in Western usage, is a well-known liturgical expression, denoting a division of the long side, fronting the people. In the ancient English liturgies the front of the Altar is considered, for ritual purposes, as divided into three sections, the right, or Epistle side, dextrum cornu; the midst, medium altaris; and the left, or Gospel side, sinistrum cornu. Three short rubrics from the Sarum Missal will estab-

lish this fact.

"Sacerdos thurificet medium altaris, et utrumque cornu altaris, primo in dextra, secundo in sinistra parte, et interim in medio."

"Sciendum est quod quicquid a sacerdote dicitur ante

Epistolam in dextro cornu altaris expleatur."

"Legatur Evangelium in sinistro cornu altaris." The first rubric proves the threefold division of the Altar's front. The second shows that our American Book, in beginning its Communion Office "at the right side of the Table," would be following old English custom, and, therefore, that the right side would be the

south side of the west front of the Altar. The third, in ordering the Gospel to be read "at the left side," defines this as the north side, which is everywhere recognised as the Gospel side, and accordingly that the right side would be the south side, where the Epistle is read. The Latin word cornu is strictly technical, and is equivalent to "latus," and is usually and freely translated "side."

These rubrics are illustrated by the following passages from Lay Folks' Mass Book, a medieval "Companion to the Altar," written in the twelfth century, and published by the Early English Text Society, in 1879 [pp. 10, 16, 26].

"The prest bigynnes office of messe, Or ellis he standes turnande his boke At the *south* auter noke.

Til deken or prest the gospel rede, Stonde up then and take gode hede; For then the prest flyttes his boke North to that other auter noke."

#### But at the Sursum corda:

The prest will after in that place Remow him a litel space, Till he come to the auter myddis."

It is quite possible that this old English and Catholic custom of beginning the service at the southwest side of the Altar, may have been derived from early Jewish usage. As confirmatory of such an origin, in the Old Testament Commentary for English Readers, now publishing in England, Dr. Ginsburg, in notes on the Book of Leviticus, tells us that "the Priest went to the southwest horn of the Altar," and held the bird to be sacrificed with the neck stretched out, and cut it with the

nail of his thumb, breaking open the great blood-vessels at the neck of the victim.

If this be a correct explanation of the history and meaning of the "right side of the Table" in our American rubric before the Holy Communion, it is to be hoped that our American Priests will not continue to follow a wrong practice, however long it may have been in use, but will fulfil the true and ancient meaning of the order, and in union with the rest of Catholic Christendom begin the Eucharistic Office, not at the end of the Altar, but at the side, and on the south side of the Altar's front, "the right side of the Table," from Scripture phraseology, and from ancient liturgical and English usage.

In this Standard of 1832, the old Tate & Brady Psalms are omitted, and in their stead are printed the new "Psalms in Metre, selected from the Psalms of David," which were set forth December 27, 1832. In it are given also the 212 Hymns, set forth in 1789, 1808, and 1826.

# THE FIFTH STANDARD, IN 1838.

The Fifth Standard is a duodecimo edition, in large clear type, one column to a page, published in Philadelphia in 1838, from corrected stereotyped plates, prepared originally in 1837 by the Female Protestant Episcopal Prayer Book Society of Pennsylvania. It is authorised in advance by Canon IX. of the General Convention of 1838, and has the following declaration on its second page:

"In pursuance of a Resolution of the General Convention of the Protestant Episcopal Church in the United States of America, we, the subscribers, a Committee appointed for the purpose, do hereby set forth this Corrected Standard Prayer Book; being printed from the stereotyped plates of the Female Protestant Episcopal Prayer Book Society of Philadelphia [? Pennsylvania]; and comprising the Common Prayer Book, the Articles,

Offices, Psalms in Metre selected from the Psalms of David, and Hymns.

"And we hereby DECLARE this Prayer Book, so

corrected, to be THE STANDARD.

"H. U. ONDERDONK,

" Bishop of the Diocese of Pennsylvania.
" G. W. Doane,

"Bishop of the Diocese of New Jersey.
"Benjamin Dorr,

" Rector of Christ Church, Philadelphia.
" S. Littell, Jr.

" Philadelphia, Dec. 15, 1838."

A long and very interesting statement concerning this Standard, signed by the Committee, was made in December, 1838, and published in The Protestant Episcopalian, The Banner of the Cross, and other Church publications of that date. In this statement, the Committee say that they "have met nine times," and "have considered all the corrections reported, having also the use of a Prayer Book largely corrected by the Rev. H. M. Mason, D.D., and one by the late J. B. Wallace, Esq. Of the various corrections they have adopted, in the prose portion of the Prayer Book, . . . more than 700 of all sorts; of which only 5 or 6 affect materially the sense, and about 36 relate to matters prescribed by the 'votes, on the subject, of the General Convention.' In the Metrical department . . . they have adopted 1016 corrections, none of which affect the sense mate-The whole number of corrections is rially: 1720; almost all referring to slight omissions or misprints, to capital, roman, or italic letters, to punctuation or figures, or other defects in the plates."

A short Report was also made by them to the General Convention of 1841, and the Committee was thanked by that Convention, "for the faithful, laborious, and successful manner in which the task has been performed." Of the four persons who composed this Committee in 1838, the two Bishops and the Priest have long since entered into their rest, but the one layman, Dr. S. Lit-

tell, is still living in Philadelphia, "a hearty and hale man, with a love for the Church as strong, and a zeal as warm, as the youngest."

# THE PRE-STANDARD OF 1838.

The original plates of this edition were stereotyped by L. Johnson, Philadelphia, and printed by William Stavely, No. 12 Pear Street, Philadelphia, for the Female Prayer Book Society, with a certificate from Bishop H. U. Onderdonk, Philadelphia, January 20, 1837. A singular misprint in punctuation is inherited by us from the original plates, and continues in our present Standard. In the rubric before the Lord's Prayer, in Holy Matrimony, a comma is inserted after the word "Man," as though "the Man," and not "the Minister," were the subject of "shall say."

# CHANGES IN THE STANDARD OF 1838.

In the corrected Standard edition, "A. & M." after S. Simon and S. Jude in the Calendar for October 28th, which had been retained heretofore from the Proposed Book, is dropped. In Psalm 145.3, in the Psalter, the comma between "marvellous" and "worthy" is omitted, since, as it was stated, "marvellous" is here probably an adverb. In the Apostles' Creed a comma is deliberately inserted after "God," in the first line, wherever that Creed is used, but this was omitted again in the next Standard. In the second rubric of Churching of Women, the word "Priest" is changed to "Minister," and in the Visitation of Prisoners, in the rubric before the Absolution, the word "Minister" is changed to "Priest." These last alterations are expressly mentioned in the Statement of the Committee, and the last change is in accordance with a similar alteration in the Office at Sea in the Standard of 1822, made by the recommendation of Bishop White. In the discretional part of the Litany, the second bracket, which had heretofore preceded "Let us Pray," is in this Standard placed after it; but both brackets were omitted in the next Standard, as they had before been dropped in the Ordinal of the Quarto Standard of 1793.

CHANGES MADE BY ORDER OF THE GENERAL CONVENTION OF 1835 AND 1838.

In consequence of the action of the General Conventions of 1835 and 1838, an addition was made to the rubric of A Table of Moveable Feasts, in the words: "unless the Table gives some day in the month of March for it; for in that case, the day given by the Table is the right day." In the General Convention of 1838, on motion of Bishop Benjamin T. Onderdonk, of New York, it was "Resolved—As the sense of this Convention, that after the words used by the Bishop at the laying on of Hands in Confirmation the word 'Amen' should be printed in the Italic character, as being properly a response." However, it had been deliberately printed in the Roman character in the Standard of 1822. In consequence of this later action, in the Standard of 1838, this "Amen," for the first time by authority, is printed in Italics. It was again printed in Roman character in our next Standard of 1845, without an exception from the General Convention of 1844 that authorised that Standard, and it is so printed in our present Standard. Notwithstanding, in our last General Convention, on the action of the House of Bishops, this "Amen" was ordered to be once more put in Italics in the Book Annexed Amended.

THE "AMEN" IN THE CONFIRMATION PRAYER.

One does not like to differ from venerable Bishops in their judgment about a matter which belongs particularly to their office. If, however, we can put any confidence in the action of their brother Bishops and the

Clergy in our Mother Church of England with reference to their Book of Common Prayer, we shall find that this "Amen" in England has never been considered "as being properly a response," but as a necessary part of a Bishop's function, in the bestowal of the Holy Ghost to the laity by the laying on of his hands, and as such has uniformly been printed in Roman character in the English Prayer Book. It may be said, on the other hand, that, in a somewhat similar case, in the Consecration Prayer in the Communion Office, the people have from time immemorial said the Amen; but in this case the people would rightly unite with the Priest in offering up this memorial Sacrifice of our Saviour's precious Passion and Death, for in this holy action all are interested, and all should take part. But in Ordination and Holy Baptism, the Bishop or the Priest alone says "Amen," as a part of his official action. And so, in conferring the gift of Confirmation on an individual, the prayer and the laying on of hands is done by the Bishop, and the "Amen" would seem also to be a fitting part of his Apostolic function. And thus, in the Scriptural account of this holy rite, it was the Apostles, not the Congregation, who prayed for the Candidates, and laid their hands on them. If then the "Amen" in this prayer be printed in Italics, the people alone will be instructed to repeat it, and the Bishop, who ought to say it in his official capacity, will not be invited or required so to do, a serious omission which is to be regretted. The "Amen" should therefore remain, it would seem, as in our present Standard and in the English Books, in Roman character.

# THE SIXTH STANDARD, IN 1845.

The Sixth Standard is a large octavo edition, stereotyped by H. W. Hewet, New York, and published in New York, in 1845, by the New York Bible and Common Prayer Book Society, and by Messrs. Harper & Brother. It is certified to, on its second page, as the Standard by the Committee of the General Convention of 1841, and this

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certificate is signed by Bishops Meade, Ives, and Alfred Lee, and by the Reverend Doctors Anthon, Wainwright, Mead, and Coit. Of these seven signers, the venerable Bishop Lee, now the Presiding Bishop of the American Church, and the learned Doctor and Professor Thomas Winthrop Coit, alone survive. This Standard is authorised by Canon VII. of the General Convention of 1847. It is by far the most carefully prepared edition of all our Standards, and for this result the American Church is chiefly indebted to the indefatigable labors of Dr. Coit, with the loving assistance of Dr. Wainwright, afterward the Provisional Bishop of New York. This valuable Standard was prepared and corrected from sheets of Dr. Wainwright's beautiful illustrated edition of the Prayer Book, bearing Bishop Onderdonk's certificate, New York, December 18, 1843. As Dr. Coit's exhaustive Report to the General Convention of 1844 is reprinted in the Journal of the General Convention of 1868, on the happy suggestion of the Rev. Dr. Hodges, now of Baltimore, I need not enter into the many and minute corrections in this Standard, but will refer those interested in the matter to that exceedingly valuable Report. The original edition of this Standard was stereotyped and printed by H. W. Hewet in 1844, and only 250 copies printed, 200 of which were for the use of the Convention. This edition, with a few slight changes made by the General Convention, was published in 1845 as the Standard.

CHANGES ORDERED BY THE GENERAL CONVENTION OF 1844 IN THE PROPOSED STANDARD.

In the Proposed Standard, the Committee, in the Table of Contents, had inserted as additional Headings, "The Litany," and also the titles of the Offices printed after the Psalter, thus giving XXXVI. Heads of reference instead of 29 as before. To this change, the House of Bishops took exception, and after some discussion a joint resolution was passed, which was offered by Bishop Whittingham,—"That the Table of Contents of

the Book of Common Prayer, having been prepared, proposed, and ratified, in the same manner as other parts of the said Book, cannot be altered in any other way than as prescribed by Art. VIII. of the Constitution." Under this action of the Convention, the Table of Contents was restored to its old form, and "The Litany" as a title omitted, though its insertion would have been more properly a typographical correction than an alteration. However, notwithstanding this action in 1844, the Committee of 1868 on the Prayer Book inserted "The Litany" in the Table of Contents, and the General Convention of 1871, in the Standard adopted that year, accepted this "alteration," before proposed and rejected, without its reference to the Diocesan Convention (!). A few other changes were ordered by the General Convention of 1844, in this Standard of 1845, but chiefly such as the substitution of "Selection" for "Psalm" before the number of the Psalms in Metre, and, in the title-page thereof, the putting of "Selections from the Psalms of David in Metre," for "Psalms in Metre." "Sel. 1, Sel. 2," etc., was also ordered to be printed on the outer-top margin of each page in the Selections of Psalms, uniform with "Day 1, Day 2," etc., on the outer top-margin of the Psalter.

# IMPORTANT CORRECTIONS IN THE STANDARD OF 1845.

By far the most valuable improvement in this Standard, it will be generally conceded, is the printing of the sacred words Lord and God in capital letters throughout, in the Psalter and elsewhere, wherever they stand for Jehovah, as is done in our Bible version. This is a deliberate change, and a grand advance on the English Book. On this change Dr. Coit remarks:—"Some may think it a needless undertaking; but if God himself has made a marked difference in His own Names,—made this difference a matter of gradual revelation (Exod. vi. 3), and kept up a peculiar application of it for ages (the Messiah is distinguished from Jehovah to

the very end of the Old Testament—see Mal. iii. I, in the Hebrew); and further, if one of the ablest commissions, which ever had a most sacred trust confided to them, thought this difference worthy careful perpetuation, it becomes us not to regard it lightly. . . . For instances, where some distinction is necessary to characterise Jehovah and the Messiah, see Psalm cx. I, 5. Here some Bibles, and English ones too, have the word Lord in the 5th verse thus, Lord. This perverts and misapplies all the latter part of the Psalm, which relates to the Messiah. See also Matt. xxii. 44, under the Eighteenth Sunday after Trinity; and Mal. iii. I, under the Festival of the Purification."—This is a much more important change than that made in the Standard of 1832, of putting all the divine Names and Titles indis-

criminately in capitals.

The rubrics are again printed in italics as before the Standard of 1822, which inherited Bruce's unauthorised change to Roman letters in 1818. The Titles to the Prayers are given in larger italics, and without the paragraph mark. The Collects are liturgically printed with semicolons, and with proper capital letters. gical clauses in the Confessions, the Creeds, the Lord's Prayer, and the like, begin with a capital letter. The versicles after the Creed, and the clauses in the Lord's Prayer, are pointed with periods, instead of semicolons, which were inherited from errors in the English Books of the last century. In the first Collect after the Lord's Prayer, in the Confirmation Office, "everlasting" is corrected to "everliving," as in our first two Standards of 1790 and 1793. In the Preface, God and Jesus Christ are in small capitals, after the Standard of 1832, and in part after the First Standard. The Calendar and Introductory Tables are more clearly printed, and have appropriate leading lines to direct and assist the eye. A Note from the English Book, explaining the Golden Numbers, prefixed to March and April, is added at the side of that page in the Calendar. This Note was proposed in the General Convention of 1838 for insertion in this place, but the proposition does not appear to have

been consummated then, or in the next Convention. new Cycle for Easter, from 1862 to 1880 inclusive, taken from Collingwood's English Prayer Book, is given, without its having been first proposed to the several Dioceses, as was done in 1821, and afterward in 1868. In the Nicene Creed, the comma between "One God" and "the Father Almighty" is omitted, as at present, and this is probably correct, and is in accordance with the Sealed Books. The comma had been there in all our previous Standards, as in Mark Baskett's London edition, 1765; the Oxford quarto, 1775; and the Second Book of Edward VI., in 1552. This comma seems to have been a relic of the form given in the Old Sarum Missal, and the First Book of Edward VI., in 1549, when the Priest began that Creed, saying alone the opening clause, "I believe in one God," and the Choir joined in at the words, "the Father Almighty," and

sang the rest.

The number of each page is given at the bottom of the leaf, and there are (xx.), 511 pages to the end of the Psalter, in all 580 pages to the end of the Office of Institution. In the Selections from the Psalms in Metre, with Hymns and Table, there are 100 pages. An Index to the entire Book is given on a final fly-leaf. numbers being printed at the bottom of the page, the Days of the Month, "DAY 1, DAY 2," etc., in the Psalter, are most conveniently put on the outer-top margin of each page. In our First and Second Standards these were printed on both the outer and the inner-top margin in Roman numerals, IV. DAY, VI. DAY. In our present Standard the pages were again numbered at the top of the leaf, and the number of the Day was obliged to be put less legibly on the inner-top margin. In the Book Annexed, the number of the Day has been returned to the outer-top margin, but, most singularly, the pages of the Psalter have not been numbered at all. is to be hoped that the numbers will be again restored to these pages, and placed at the bottom of the page. In the Apostles' Creed, "He descended into hell," is usually considered as a part of the Fifth Article of the

Creed in connection with "The third day he rose again from the dead," and it is thus correctly given in the ancient interrogative Creed in the Office of the Visitation of the Sick. In the present English Prayer Books, perhaps after the Manuscript Book, "He descended into hell" seems to be connected with the Fourth Article, there being only a comma after "buried," and a semicolon after "hell." In the Sealed Books, however, a semicolon was inserted after "buried," and a comma put after "hell," and this punctuation, which would seem to be the correct one, was adopted in the Standard of 1845, after Wainwright's plates of 1844, and is continued in our present Standard. In the Book Annexed, in accordance with the last Report of the Committee on the Standard Prayer Book, this arrangement was the more strongly marked, by having a colon placed after "buried." In our earlier Standards, after English Books of the last century, a semicolon had been put both after "buried" and "hell." The wrong punctuation of the present English Book, in seeming to class "He descended into hell" with the Fourth Article of the Creed, appears to date from "The King's Book," in 1543.

#### THE CORRECT PRINTING OF THE TITLE-PAGE.

A semicolon is put after "Sacraments," on the title-page, in imitation of the sheets of Wainwright's Book, and this change unfortunately still continues, though our first Standards all have here a comma only. The Latin of the Title, as signed by the Revisers in 1661, and the Latin in the edition of 1560, prove that the words "Administration" and "Other Rites and Ceremonies," are dependent clauses, and have "of" or "of the" understood before them, and accordingly simply a comma after "Sacraments" would seem to be the correct punctuation. The form of the Latin words is "Administrationis . . . aliorumque," of Administration . . . and of the other Rites and Ceremonies.

It is most important that the title-page of the Prayer

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Book should be printed and punctuated correctly, and as it is given in the Manuscript Book of 1662, and in the Sealed Books, for only thus can the full sense of it be clearly understood. They both give it exactly as follows:

#### THE BOOK

OF

# Common = Prayer

And Administration

OF THE

SACRAMENTS.

AND OTHER

#### RITES AND CEREMONIES

Of the CHURCH,

According to the Use Of the

etc.,

etc.

The Summary of the title is thus-" The Book . According to the Use" of the American Church, and the "of" and "of the," being properly printed in separate lines, show that they belong to all the dependent clauses below them. Besides having here "The Book of Common Prayer," we have also "The Book of Administration of the Sacraments, and of the other Rites and Ceremonies of the Church." Our First Standard wrongly inherited a punctuation point after Common Prayer, copied from English editions of the last century, and it should be omitted in the present Standard. In the correct form of the title as given above, there are only two punctuation points, a comma after Sacraments, and a comma after Church, but the hyphen between Common and Prayer need not be imitated, since Common is a regular adjective, and the Latin form of the phrase is also in two distinct words. Precum Publicarum.

THE SEVENTH AND LAST STANDARD, IN 1871.

The Seventh and last Standard is a royal octavo edition, stereotyped and printed in England, but published in New York, in 1871, by the New York Bible and Common Prayer Book Society. It is printed in very large black type, and is authenticated on its second page by the Resolution of the General Convention of 1871, "Adopted in the House of Bishops, Oct. 19: A.D. 1871, and signed by B. B. SMITH, Presiding Bishop, HENRY C. POTTER, Secretary." "Adopted in the House of Deputies, Oct. 24: A.D. 1871, and signed by JAMES CRAIK, President, WILLIAM STEVENS

PERRY, Secretary."

This edition is printed from new stereotyped plates, which were prepared under the direction of a Joint Committee appointed by the General Convention of 1868. These plates correspond, page for page, to the last Standard. The Rev. W. J. Webbe was appointed Secretary of the Committee, and in their Report to the General Convention in 1871, they express "their great obligations to their Secretary, the Rev. W. T. Webbe. for the industry with which he has discovered the numerous typographical errors; and also for his laborious comparison of the Standard of 1844 with the Sealed Book." They state further that the new plates are "substantially in conformity with the alterations suggested by the Secretary." The Committee signing the Report are Bishops Eastburn, Randall, and Gregg, and Rev. Drs. Haight and Howe. Of these only two survive, Bishop Gregg and Dr. (now Bishop) Howe. May the venerable Dr. Coit, who was of the Committee, but did not sign the Report, long be spared to us in the Church Militant! A full Report was made to the Convention of 1871, under three heads. I. Typographical inaccuracies; II. List of alterations; and III. Corrigenda in the copy laid before the Convention; and this Report is printed in the Journal, to which those interested can refer. Among the "inaccuracies" corrected

are the insertions of the word "the" before "Saints" in The Gospel for The Sunday next before Easter, "and many bodies of the Saints which slept arose;" and the word "also" after "they" in the Lesson at the Burial of the Dead, "As is the earthy, such are they also that are earthy." In the Public Baptism of Infants, and in the Baptism of those of Riper Years, after the prayer-beginning, "Almighty and Everlasting God," and introduced with the words "let us faithfully and devoutly give thanks unto him and say "-the "Amen" in Roman character, though ordered by the General Convention of 1844, is considered an inaccuracy, and italics are substituted therefor. The "Amen" in Roman type was used in the Public Baptism of Infants first in the Standard of 1822, and in the Baptism of those of Riper Years first in the Standard of 1838. In the Book Annexed, the italicised "Amen" of our present Standard was again changed, and printed in Roman characters. In the English Book this "Amen" has always been in italics, which would seem to be the correct form, since "let us give thanks and say" does not mean more than " let us pray," and, therefore, the people ought not to repeat the prayer with the Minister (as they would seem to be required to do by an Amen in Roman characters), but only join in the "Amen" at the close of it, as in the prayers generally. The rubric given here in the First Book of Edward VI. shows that this composition was intended only as an ordinary prayer, " The Priest shall add also this prayer," and there is nothing in the present rubric, or in the liturgical printing of the several clauses, to indicate that it should be said by any one except the Priest. In Psalm 79.1 of the Psalter, "God," before put in lower-case type, is printed in capital letters, GOD, because the phrase "O God," being an opening vocative clause, typography would call for this change; but, on the other hand, since the original word here is Elohim, and not Jehovah, theology should rule, and the word remain in small type, as the scholarly Dr. Coit originally printed it.

Among the "Alterations" may be mentioned the fol-

lowing. In the Table of Contents, the Litany is inserted. The Amen is added after the Gloria Patri in the Morning and the Evening Prayer (as it was intended it should be in the previous Standard), and after the Anthem in the Institution Office. In the General Thanksgiving, the second "may" is stricken out, and the clause now reads "and that we show forth," as in the present English Prayer Book, and as it was originally written in the folio Book of 1636, which was corrected for the Book of 1662, and as it is in the Sealed Books, and in the Manuscript Book. The omission of this "may" has been considered by some as ungrammatical and inelegant. There are, however, other examples in the Prayer Book of its omission, and this phraseology seems to have been an older usage, which is now more generally corrected. Thus, in the Collect for Grace, we pray, "and grant that this day we fall [not, "may fall"] into no sin." the Collect for the Sunday next before Easter, until 1662, one of the clauses was thus worded: "Mercifully grant, that we both follow [not, as now, "may both follow"] the example of his patience." The word "Whitsun-day," wherever it occurs, is so printed as to carry out the analogy of Whitsun-week, and not as in the Standard of 1845, "Whit-Sunday," or as in all the earlier Standards, "Whitsunday." In the Heading at the end of the Office at Sea, "the" is changed to "their" before "Dead," "At the Burial of their Dead at Sea." It is thus printed in the English Book, and in our First Standard of 1790 and 1791, and the change to "the" was probably a typographical error in the Second The word "their" in its present Standard of 1793. position is correct, and refers of course to the persons at sea; but as this rubric has been transferred, in the Book Annexed, to the ordinary Burial Service, this word "their" in its new position does not seem to be so appropriate as the word "the" would be, since there are now no particular persons to whom it can relate. An additional cycle for finding Easter for the years 1881 to 1899, inclusive, which was duly proposed in the General Convention of 1868, was adopted in 1871, and

inserted in this Standard, and the cycle for the years 1843 to 1861, inclusive, was omitted. In the Gospel for the First Sunday in Advent the word "strewed," first wrongly introduced into the Standard of 1838, after the edition of 1837, is changed to "strawed," in accordance with our earlier Standards and our authorised Bible. This correction has not been made, however, in very many of the present editions of the Prayer Book professing to follow the last Standard, and the Clergy should carefully insert the change in any such editions that may be in their chancels.

In Psalm 135.6 of the Psalter, the word "and" was inserted before the words "in the sea," in imitation of the present English Prayer Books and the Sealed Books. In our first American Book the "and" was omitted, as in Baskett's London editions, 1765, 1766, and in the Oxford quarto, 1775, and so it continued to be wanting in *all* our Standards till 1871. Dr. Coit informs us in his minute Report in 1844, that "the 'and' is not in the Hebrew, Septuagint, or Vulgate," and hence he did not insert it in the Standard of 1845.

#### EARLY EDITIONS OF THE AMERICAN PRAYER BOOK.

The short-lived "Proposed Book" was printed in Philadelphia, Hall & Sellers, MDCCLXXXVI., 8vo, and 4,000 copies of it were ordered to be published. few of these were handsomely bound in red morocco with gilt ornamentation, one of which the writer now happily possesses. It was reprinted in London, England, M,DCC,LXXXIX., 8vo, and from a manuscript note in Bishop Stevens' copy, as mentioned in The Historical Magazine, vol. i., p. 221, we learn that there were only fifty copies of this English Reprint published, and these were probably for the use of the English Bishops, who were then considering the request of the American Church for the "Succession." The writer has one of this "fifty" also. The English edition was reprinted in Hall's Reliquiæ Liturgicæ in 1841, and again in America, for the Reformed Episcopal Church, in 1871.

I give below, from Sabin's *Bibliotheca Americana*, a list of the early editions of our American Prayer up to the year 1800:

Philadelphia: Printed by Hall & Sellers, MDCCXC. 12mo, pp. —, pp. 221 (iii). The Psalms in Metre alone are paged (pp. 221), and have a separate title.

Philadelphia: Hall & Sellers, MDCCXCI. 12mo, pp. —, pp. 221 (iii).

New York: Hugh Gaine, M,DCC,XCIII. 8vo, pp. —, pp. 204 (iii). By *Direction* of the General Convention.

New York: Hugh Gaine, M,DCC,XCIII. 12mo, pp. —, pp. 74 (ii). By *Direction* of the General Convention.

New York: Hugh Gaine, M,DCC,XCIV. 12mo, pp. —, pp. 171. By *Direction* of the General Convention.

Boston: Printed by Manning & Loring, for J. Thomas & E. F. Andrews, MDCCXCIV. 12mo, pp. 244 (iv).

Philadelphia: Printed by Hall & Sellers, MDCCXCIV. 12mo, pp. —, pp. 221 (iii).

New York: Hugh Gaine, M,DCC,XCV. Folio.

Philadelphia: W. Young & J. Ormrod, 1795. 12mo, pp. xxxiv, 370. By *Permission* of the General Convention.

New York: Printed for T. Allen, 1797. 12mo, pp. xxxiv, 238.

New York: Printed for T. Allen, 1797. Pp. 168 (ii). Boston: I. Thomas & E. T. Andrews. October, 1800. Pp. —, pp. 70 (ii).

Philadelphia: Printed by Hall & Sellers, MDCCC. 12mo,

pp. xxxvi, 327.

New York: Hugh Gaine, MDCCXCIII. Quarto. Ordination offices alone.

See Hist. Mag., I., 158, 219, 281, 308; II., 306.

#### Conclusion.

In this account of our several Prayer Book Standards, and in the enumeration of various verbal changes in them, the writer has striven to be strictly accurate; but as this history is the first of its kind, and deals with very many particulars, and is derived from many different sources, there are probably a number of inaccuracies in it, and possibly some wrong deductions. It is to be hoped, therefore, that in the interest of historical truth, any corrections that need to be made herein, and particularly any additional facts that ought to have been given, will be freely published in our Church papers, or privately communicated to the writer. The date, size, and publisher of any early editions of the Prayer Book, between the years 1790 and 1793, other than those mentioned above, ought by all means to be named in the public prints, by those who know of their existence.

One good end that may be subserved by this historical review—besides making it generally known when and how certain slight verbal changes were introduced into our Prayer Book—is in demonstrating the fact that our present Standard Prayer Book, save in the correction of a few trifling typographical inaccuracies, is identical, in language and teaching, with our first American Prayer Book, which was published well-nigh a century ago, in the month of August, in the year of our Lord,

one thousand seven hundred and ninety.

FREDERICK GIBSON.

## THE METHOD OF COMPARATIVE RELIGION.

OMPARATIVE Religion would have seemed superlative blasphemy to Christians of the early part of this century. To-day it is recognised as one of the sciences which is most fruitful in its aids to faith. It is not yet, however, entirely free from elements of irreverence and skepticism. In fact, the most subtle attempt to de-supernaturalise Christianity—to reduce it to a merely natural, though lofty product of the religious spirit of man—comes from this source and sharpens its weapons upon its material. This is one of the chief forms of

attack that apologetics must face to-day.

The historical method of investigation, which applied to the New Testament writings ofttimes to destroy their genuineness and authenticity, has resulted in such fruitful triumphant Christian scholarship—this same method is now applied to the study of all religions, ofttimes, too, in the interest of skepticism. We believe that it is already resulting in most fruitful scientific and philosophical indication of Christianity as emphatically the revealed Religion. Skepticism here, as so often, leads the way into new fields. Christian scholars, sometimes trembling, follow to claim all the new truth discovered and to lay it at the feet of Jesus. Thus this investigation, this study of the great religions of the world, becomes a department of apologetics. The supernatural character of Christianity is to be vindicated by arguments that come from the historical investigations and comparison of the religions of the world.

A slight sketch of the growth and progress of this work may be of interest, and also show that Christian scholars and missionaries have been most helpful in the work, it having been closely connected with the kindred

science of comparative philology.

We might begin with the Renaissance and the Refor-The first of these revived knowledge of classical literature and made men thoroughly familiar with the religion of Greece and Rome. The latter gave the spiritual impulse and the intellectual freedom which have been at the root of all modern progress. Another century saw the dawning knowledge of the great religions of the East, obtained through travellers, missionaries, and commercial intercourse. It was this faint knowledge that was sufficient to lead the free-thinkers of France to suggest the setting up of Buddha, Confucius, Zoroaster, and Mahomet as rivals to the founders and apostles of Christianity. Every noble doctrine and moral excellence was attributed to the Oriental religions. Voltaire very naïvely attributed the superiority of the Chinese in morals, philosophy, and general culture to their ignorance of Christianity. Nothing else was needed to put an end to all the miseries and disputes of his day, but the adoption of the Chinese religion throughout Europe.

In the latter part of the eighteenth century (1783), Sir William Jones began the real work of revealing the great literatures of the East. His was the enviable vocation of adding a whole continent of literature to west-A born philologist and lover of truth, like ern wealth. a young knight-errant, his enthusiasm rose to the level of his wonderful linguistic capacity. About the same time (1771) Anguetil du Perron, whose spirit and work were no less enthusiastic and much more romantic, opened to Europe the treasures of Persian literature. leaders have ever since had devoted followers, profiting by all the modern means of investigation. Then Protestant missionaries, who, however, had been anticipated by Romish missionaries, began the accumulation of an enormous amount of ethnological and philological material; missionary dictionaries, grammars, and translations gave the apparatus for the study of many unknown languages. French, Danish, and German scholars in an

illustrious succession have labored on the same continent

of learning.

The discovery of the Rosetta stone in 1799 was the key which Champollion used for unlocking the vast religious literature of Egypt, therewith opening the door to a library of monuments and papyri in myriads of volumes. A very romantic and impressive outcome of the study of Persian literature is that the modern disciples of Zoroaster—the Parsees of India, were first furnished with the meaning of their own sacred books through the labors of European learning. Until 1850 their language of worship was an unknown tongue. On the publication of Spiegel's translation, a wealthy Parsee gentleman, living in England, had it rendered into English and sent to his fellow worshippers for use in Bombay. In fact the whole course of these twin studies—comparative philology and religion-would make volumes of thrilling romance. The result is that we have a large and scientific material for the appreciative and comparative study of the faiths of the world. This, too, is now made accessible through the editing by Max Müller of "The Sacred Books of the East" in twenty-four volumes, twenty-one of which have already been published. But, with all this and abundantly more material, the task of judging justly these foreign religions is a difficult one. The personal equation comes in here as elsewhere to the prejudice of just comparison and truthful apprecia-This is seen in the three methods, or stages of method of this study, which we may style the eighteenth century Christian view, the old skeptical view, and the new scientific and Christian view.

I. The eighteenth century view was that all the religions of the world except Judaism and Christianity were false religions, the result of wickedness, priestcraft, delusion, fanaticism, or quackery. All other religions were disparaged that the Christian apologist might the better exalt and prove the supernatural origin of Christianity. This a priori view did not encourage a proper study of them. Indeed, in its special pleading, the evils, rather than the truths were eagerly sought for in them. The rigid line

of distinction between the converted and the unconverted in Christendom was extended into the classification of all religions as "Natural and Revealed," "False and True," or "Paganism and Christianity." Christianity was the wholly true, and heathen religions were the wholly false. They could not be considered as having any Divine sig-They were worse than no religion. were corrupt, superstitious, and the offspring of fraud and delusion. The utmost allowed to them was the utterly perverted and darkened light of a primeval revelation. This pre-conceived theory held that all false religions were corruptions of the Jewish religion or offshoots of a perfect primeval revelation, which had come down from heaven ready made for perfectly developed man. But all remnants of that having utterly disappeared, there was nothing true in them, and no true faith exercised by their believers.

II. The eighteenth century skeptics cheerfully acquiesced in ascribing the origin of these religions to delusion and fraud, only going further and placing Christianity in the same category. But this view of the origin of Christianity by skeptics and of all religions by Christians has, I believe, once for all been abandoned. The relation of priestcraft to religion is found to be that of statecraft to nations—not that of creating, but that of created. Carlyle utters this fervid protest against the theory of quackery in reference to paganism and every other virile ism: "Quackery and dupery do abound; in religions, above all in the more advanced decaying stages of religions, they have fearfully abounded; but quackery was never the originating influence in such things; it was not the health and life of such things, but their disease, the sure precursor of their being about to die. Let us never forget this. It seems to me a most mournful hypothesis that of quackery giving birth to any faith even in savage Quackery gives birth to nothing; gives death to all things. We shall not see into the true heart of anything, if we merely look at the quackeries of it, if we do not reject the quackeries altogether as mere diseases and corruptions." In the same spirit he retorts upon those

who claim that Mahommedanism owed its triumph solely to the sword; "But where did it get its sword?" Faith forged its sword and was the inspiration of its first armies.

Scholarly skepticism soon gave up this flimsy, unworthy and irreverent view of Voltaire, and began the course which we may represent as these three stages: 1st, that of looking for the good, true, and beautiful elements in all pagan religions; 2d, that of tracing the origin and growth of all religion to the lowest forms extant -finding its ultimate source in the sensuous needs, the timidity, and terror which characterise the most barbarous tribes, so as to cast discredit upon it in all its later forms; 3d, its latest and best phase, which, while finding the source of all religions in its lowest forms, generously, sometimes genuinely, maintains that its real value is not to be determined by its empirical origin or by the accidents of its outward history, but by its own inherent worth—by that to which it developed from very humble beginnings, making sacred anthologies, bestowing an ignorant admiration upon them in place of the sweeping condemnation of Christian writers; seeking thus to depress Christianity the rather by exalting them to its level, or at least maintaining that Christianity is nothing more than a synthesis of the good and also of some of the evils of all previous religions. Evolution can do as great things for man's religion as it can for man himself. Mr. Herbert Spencer's recent article\* on "Religion; a Retrospect and Prospect," is the best statement of this phase of the modern skeptical view. He deliberately proposes the Ghost-theory origin of religion and follows through its various stages of evolution even to the faroff future millennium of the agnostic absolute religion. The man's ghost or double is at first "equally material with the original." This is gradually dematerialised or deanthropomorphised into the present conceptions of God, which process is to go on until all conception is destroyed, and the idea sublimated in the unknowable,

<sup>\*</sup> The Nineteenth Century, 1884.

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unnameable something or nothing which the coming agnostic man will nevertheless worship as truly and devoutly as his barbarous gnostic progenitor worshipped fetiches.

III. This brings us to what we may call the modern Christian scientific method. We might call it the Chris tian view of organic evolution. It is Spencer's evo lution minus its materialism and plus a Divine Evolver. It is the Hegelian evolution minus its pantheism and plus the free personality of both God and man. It is that of organic evolution, with all that the adjective organic signifies, and with all the primary and continuous involution, that every evolution implies. We may accept the fact that the method of organic evolution is the method of the nineteenth century. We may be thankful for its merit, and use and baptise it with the Spirit of Him whose is all truth. We start then from the basis of the Christian consciousness, which has been formed by the facts of historical Christianity, applied and inwrought by the Holy Spirit through the Christian centuries. It is the view of the Divine indwelling in the whole historical evolution conducting it to its conclusion. Its viewpoint of the faiths of the world is that of the Divine education of the race—the evident Providence in history. This fruitful idea, broached by Lessing, and anglicised by Bishop Temple, though hooted at by Orthodox, Evangelical, and Tractarian, is now regnant. But it is not wholly modern. It was the cherished view of the fathers of the Alexandrian School. Clement, who Neander says was the founder of the true view of history, opposing those who condemned all paganism as wholly false, declared that all the good in heathen religions "must, therefore, be included with all the rest in God's plan of education for the human race;" that Greek philosophy as well as the Jewish religion was a positive preparation Speaking of the progressive steps in for Christianity. the Divine education of humanity, he represents the Logos as the θείος παιδαγωγός, declaring: "All men belong to Him, some with consciousness of what He is to them, others as yet without it; some as friends, others

as faithful servants, others barely as servants." The doctrine of the whole school was that God had revealed Himself to all nations by his Logos, Christianity being his highest revelation, or a pleroma. Even earlier, Justin Martyr employed this view for setting forth Christianity as the central point, where all the hitherto scattered rays of the God-like in humanity converge the absolute religion, in which all that has thus far been fragmentary and rent piecemeal, is brought together into a higher unity and for comparing all the partial and alloved revelations of the λογός προφοριχός with the full and unalloyed revelation of the absolute, Divine Logos in CHRIST. Thus early then we find the science of comparative religions, starting from the standpoint of the Christian consciousness. Thus the method of comparison was one of the apologetic tactics of the Greek Fathers of the Church. And the standard of comparison was the Christian consciousness. The comparative religious content of every pagan religion was its fragment of the pleroma of Christianity.

We may well accept this revived Christian method in this study. This method may be called a priori-a philosophy rather than a science. But it is both. For no science is without its metaphysical element, its intellectually vivifying principle, even if it be so bathetic as

the philosophy of the Unknowable.

Let us, however, turn aside to notice briefly this method on its inductive side. The scientific study of religion consists in observation of facts, comparison of views, induction of principles and verification of these principles from the course of history, and finally the connected synthesis of all these results in a supra-scientific view—in a Philosophy of Religion—though this term may be objected to by both skeptic and Christian. Certain phenomena are by general consent classified as religious. These are to be noted, and, when occurring in different bodies of people, to be compared with each other, to see what they are, wherein they agree, and where they differ. It is primarily a department of natural history. All religious facts are to be noted, whether

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enshrined in the form of myths, legend, story, dogma, ritual, or life. All its visible or historic phenomena are to be collated. Then comparison inevitably follows—a comparison of the sacred books, the teaching about God, duty, immortality, prayer, sacrifice, and life. study these facts dispassionately, to aim at doing justice to all phases of this manifestation of the human spirit to study them in the spirit of a judge, rather than that of the special pleader. This precludes the supposition that any form of religion is wholly false. It demands that we take an interest in the study of each one of them--an interest that is sure to come and increase with continued study. It demands a hospitable mind, that esteems everything human of interest. But thus science must pass on from this analytic to its synthetic stage. Deeply impressed by the fact that man is eminently and everywhere a religious being—that the highest and truest history of any nation or age is the history of its religion, the student of this science unavoidably finds himself trying to generalise definitions of religion, God, revelation, that are either implicit or explicit in all religions. From Religions he passes by synthesis to Religion, and then turns back upon his previous study to read the laws of its development—to read its course either as a progressive Divine revelation and education, or as the necessary dialectic of the idea. Development of some kind is assumed by all. We may call it the nineteenth century postulate in regard to all life and institutions. It is the philosophy that underlies its science, the metaphysic of all its physics. Thus all, Christian or skeptic, are led unavoidably from the mere science of Religion to a Philosophy of Religion, which indeed is implicit, and vitalises its every form as a science.

But the contest with the skeptic is not here, as it is not with the facts collated and classified by the science. Indeed we may go further, and yet not be at the real issue. All comparison both presupposes and produces a standard of comparison. That standard we may say is Christianity, and not be challenged by any one. All grant that Christianity is the highest and best form of

religion—the standard of comparison for measuring all others. Christ is formally at least invited to the highest seat in the world's Pantheon.

Before noticing more at length the method and its results we may briefly indicate the crucial point, whence

issues, in theory, the life or death of all religion.

It is when we ask, what is religion, what its cause, subject-matter, worth, reality, and final end? Skeptics say in fact, though often in most graceful and euphemistic periphrasis, that it is wholly an illusion, beneficent or baleful, a necessary product or a parasitic excrescence of human life. The question, What is religion? must and will be asked. And to be answered it must pass through the laboratory of science and the crucible of philosophic intelligence. Has it an imperishable substance of reality, or are its visible forms only held up by the sand-ropes of illusion, prejudice, and ignorance? Has it concrete reality, or is it, as with Herbert Spencer, only apotheosised ignorance? And thus it merges into the larger question which includes that of the reality of all our knowledge into the ultimate philosophic question of knowing and The answer divides thinkers to-day into the two schools of skepticism and faith, of total agnosticism, and of partial but real gnosticism, without which God, the world, science, and philosophy are dead, and the inexplicable puppet man ought to cease to think, speak, and be. Silence unutterable is the only becoming companion of ignorance absolute.

But leaving agnosticism, which has no defence—no root or ground in the universe, we take the other philosophical view of Natural Realism, or of the reality of knowing and being, in a concrete organic nexus of living relations. Being, knowledge, life, all of these imply and may best be viewed under the method of development—the process of vital, organic, progressive relations.

We may be told that we have only finite knowledge and being. But real answer is made when we show that our finite portions are not isolated, but that they are in organic connection with their correlative, infinite and absolute being and knowledge—that man and man's history

have never been isolated from his other infinite side of being, that his connection with Absolute Spirit has been as real and continuous as his connection with the earth —that in God, all men have lived, and moved, and had their quantum of real being. The mechanical isolation of God, the world and man, the complete and essential separation of concrete man from absolute spirit, of his self-consciousness, from the element of God-consciousness, this old barren mechanico-logical view, which is responsible for much intellectual skepticism, can no longer be held. Real logic is found to be a process, and is manifested in all life and not in the forms of the syllogism. Man's being and knowledge are processes in organic relation to God. These relations are implicit in every man's life, but come into the conscious experience gradu-We need not reply to the exclamation—What an assumption! when it is that which alone gives reality to anything; when it is positively given in self-consciousness and its implications.

It is in this implicit organic relation of man with God that we find the root of religion. From this we may educe a definition of religion and trace its conscious evolution or "coming to itself," in the historical life of the

race, with which it is conterminous.

We may briefly define religion as the conscious relation of a man to God. We may amplify this and say that it is the process of man's coming to full realisation of the implicit relations of his own consciousness—the process of man's feeling after God and finding Him, in whom all live and who is not far from, but in organic relation with, every one of his own offspring, though they worship Him ignorantly. It is the surrender of the partial, isolated self to its truer self—the striving after real life in conscious identity of mind and will with the Divine, that the old, false, fragmentary self may no longer live but give place to the realisation of the perfect life—its native dower, its forfeited birthright. It is the truest life of man in communion with God, attempts after which give various expression to that latent consciousness of an infinite Being and Life which is bound up

with man's very nature as a rational and spiritual

But all this definition gives only one side, and that the finite side of the religious relation. If we are in organic relation with God and seek to realise this-if we seek after the living God, it is no less true that God seeks after us His offspring, seeks to manifest His part of the vital relation, to reveal Himself unto us. He does not sit in the inaccessible heavens and watch us vainly striving to fall upward to His feet. God is not foreign to man His creature—His wisdom and love are in vital relation with Him, for of Him, and through Him, and in Him are all things. If man's spiritual nature can only fulfil or realise itself in union with God, there must be some vital relation of God with man. Of an organic relation, all parts are vital. And this is the truth slighted alike by deist and pantheist, and many professedly Christian writers upon the philosophy of religion. It is sufficient to mention Hegel in place of many of our own day.

Combining the two sides, we may better define religion as the reciprocal communion of God and man. It is the product of this double attempt to realise this organic relation. But its God-ward side is its deepest and strongest-God striving to so manifest Himself to us that we may know, love, and live in Him. Revelation is, therefore, a constituent of all religion, and is an historic process as well as man's side of religion-a process that includes the revelation to primeval man, the continuous natural revelation through nature, history, conscience, and life, and all special revelations—all manifestations

of the infinite Divine side of man's environment.

This definition of religion is the product of the study of the various religions, and in turn the test to try the measure and worth of each, and its place in the progressive development. That there has been an organic development of religion, the Christian much more than the skeptic is bound to hold. That there has been a providential control of the religious experience of mankind means, too, that there has been an order of progress—"first the blade, then the ear, afterward the full

corn in the ear." The religious experience of the world, followed intelligently through its historic manifestations, gives us the stages of this evolution, of what was from the beginning involved in man's destiny or true nature. At any step in any phase of this experience we may put this measuring test—how much divine light and love, and how much human response to it is to be found here? We may begin at the lowest recorded stage, though we may never begin at the ultimate origin, which neither tradition nor historic research can penetrate, and trace its course to its fulness. But this does not imply, and research does not show, that this process is identical with the successive phenomena of the religious history of particular races, or with the chronological order in which the various religions have succeeded each other. The colligation of facts is only the primary step in the science of religion. Then comes interpretation, or the finding of intelligence, order, progress—the eliciting the hidden presence of rational relations, of an objective reason, of Gop's activity-in the collated and compared religious facts of the world. Every science starts with the presupposition that its subject-matter is intelligible, that there is reason or thought in it, which it seeks to exegete. The student of the religious experience of mankind makes only the same pre-supposition. He traces the steps of this intelligence by viewing his material in the light of the definition of essential religion, and by comparison with it he determines the relation of the various religions to each other.

This gives him the true classification of religions, instead of the prejudiced classification of "natural and spiritual," or the arbitrary and inadequate division into "polytheistic and monotheistic." Passing by all external and arbitrary resemblances, which ofttimes are most wonderful, and all differences, which ofttimes are only dialects of expression, we ask, to what extent each religion fulfils or realises the fundamental idea of religion? answer determines the moment in the process that each represents. And the working out of the answer is the task of the comparative study of religions involving a detailed examination of the religions of the world. The labors in this work have been abundant. Dr. J. Freeman Clarke in his sympathetic study of "The Ten Great Religions" gives a good bibliography on this science. It is sufficient to refer to his list of authors and works, including those given in the preface of Part II. of this valuable work.

To this definition and method of religion two objections will be raised. The first is that the idea of an organic development of religion reduces it to a merely natural growth and gives no assurance of its objective This arises from the materialism and the pantheism that have largely but wrongly claimed the method as their own. With them there is no place for the free personality of God and of man. It becomes merely a physical or a metaphysical process of necessary develop-But to yield the method to these now almost united views, is neither wise nor right. The organic unity of the free personality of God and of man leads to an organic development of this relation in historic processes which are neither merely physical nor metaphysical, but are concrete freedom. We have risen far above the old theological antinomy between God's Sovereignty and man's freedom. The solution, or rather the comprehension of this antinomy is essentially also that of this question of an organic development of religion. It is identical with it.

The second objection to this method will come from its implying an *essential* relation between Christianity and other religions—an incorporation of Christianity into the unity of the idea and the history of religion. This objection is overstated when it is asserted that this view reduces Christianity to the level of other religions, or at least implies that it is the result of their synthesis. But this it need not and does not imply. Christianity is easily differentiated from other religions even under this method, as the absolute religion, in the sense of being the perfect realisation of the idea which underlies and gives significance to all others. All Christians claim that Christianity stands in organic connection with Judaism, both

quence." He believed what he said.

Indeed, the extending of this connection to others, beside Judaism, only strengthens the argument for the Divine origin of Christianity. Not only Judea, but the whole world becomes a theatre for preparation for it, the whole order of human history pointing to Christ, who was the true "desire of all nations." Philosophy demands this, and much more does theology; for the doctrine of God, as Light and Love, without whose notice not even a sparrow falls to the ground, necessitates us to take it, and thus to read the history of all religions as the record of His manifestation and of man's very imperfect apprehension and acceptance. God cannot be wholly banished from any human history. Christian apologists to-day point out how Christianity meets "the unconscious longings of heathendom," and trace anticipations of Christian doctrine and guesses at truth in pre-Christian religions. It is even allowed that their vitality came from some lingering elements of a primeval revelation. It is also pointed out that Christ came "in the fulness Divine Providence is allowed to have made external preparations for His advent, such as the facilities that the Roman empire and the Greek language afforded

for the diffusion of Christianity. But, as another has said: "It is surely not a less reverential view, to trace a deeper preparation in the movements of men's minds, in the convergence of manifold spiritual tendencies, in the gradual discipline of the human consciousness for the reception of the universal religion," and in the gradual human apprehension of Divine truth in the various religions. It is a shallow and irreverent conception, which regards all pre-Christian seeking after God, and all pre-Christian seeking of God after men, as abortive experiments, the outcome being utter failures and worse than no religion, and their preparation for Christianity merely The method of comparative religion will not negative. admit this conception. Neither will it admit, nor does it involve the concession that there is nothing more in Christianity than a synthesis "of pre-existing elements, or that its originality consists simply in the reproduction, in collective form, of ideas contained in the religious, philosophical, and ethical systems of the ancient world." In reply to such a conception of Christianity, Dr. John Caird\* has well said that "it is not more historically improbable than it is inconsistent with the true idea of organic development, which is absolutely antagonistic to any such a notion as that Christian doctrine is a mere compound of Greek, Oriental, and Jewish ingredients. To apply the ideal of development to human history is by no means to find in the old the mechanical or efficient cause of the new. For in organic development, the new, though presupposing the old, involves the introduction of a wholly original element not given in the old. Hence we are not to conceive that Christianity could be elaborated out of pre-Christian religions and philosophies, any more than that life could be elaborated out of inorganic matter. But the connection of Christianity with the past, which we here assert, is a connection which at the same time involves the annulling and transmuting of the past by a new creative spiritual force. To assert it, therefore, is to hold that Christianity neither borrows

<sup>\*</sup> Philosophy of Religion, pp. 354, 355.

nor reproduces the imperfect notions of God, be they pantheistic, dualistic, or anthropomorphic, in which the religions of the old world had embodied themselves. In the light of this idea we can perceive these imperfect notions yielding up, under the transforming influence of Christianity, whatever elements of truth lay hid in them, whilst that which was arbitrary and false falls away and dies. Thus, whatever elements of truth, whatever broken and scattered rays of light the old religions contained, Christianity takes up into itself, explaining all, harmonizing all, by a Divine alchemy transmuting all—yet immeasurably transcending all—'gathering together in one all things in heaven and earth' in its 'revelation of the mystery hid from ages' the revelation of One who is at one and the same time Father, Son, and Spirit—'above

all, through all, and in all."

Indeed, it is not without supposing the human race to have been annihilated and a new race created, out of all connection with the former, as the recipient of Christianity, that we can think of it other than as being essentially, organically related with the whole antecedent course of man's religious life. This method does not prejudge either how much or how little real movements of the process are found in any of the pre-Christian religions. It does not indeed assert a priori that Christianity is the absolute religion, the pleroma, which fulfils all religions as it does Judaism, with something infinitely above them, though implicit in the lowest. But this we may say is a result, granted by all, of a fair comparison -a result too from its fulfilling the definition given of religion. Being the concrete idea of religion, it thus becomes, like it, the standard of comparison. Nor can it, as the absolute religion, be divorced from its historical The facts of the Apostles' Creed will ever continue to be the basis of its special apology. For comparative religion is all in the air, when it leaves the concrete historical basis, at any moment of the process. But being, in its historical manifestation, the absolute religion, that is, the perfect realisation of the idea which underlies and gives significance to all religions, Christianity becomes the concrete standard of comparison. We thus pass from the assertion that Christianity cannot be fully understood unless viewed as in organic relation to ethnic religions, to the assertion that these can only be understood when viewed in relation to Christianity—that Christianity is the only religion, from which, and in relation to which all other religions may be viewed in an impartial and truthful manner, and their significance as steps in the process of the revelation of the ideal and true relations of God and man be appreciated. Wherever there is any religion there is some revelation. In the absolute religion there is perfect revelation, which subsumes all previous revelations and passes on to special revelation, in the whole historic setting of the Incarna-

tion—the perfect union of God and man.

The implications, inferences, illustrations, and the present results of the application of this method in the study of the "Faiths of the world," are as innumerable as they are interesting. But notice of these is the work not of an article or series of articles, but the appropriate task of the great science of comparative religion. These indeed are as interesting as the statement of the method may seem dull. But the method is necessary to the attainment of the best and truest results of the science. A false method is cultivated in this science which yields anti-Christian and even atheistic inferences—which issues not in life but death. But this is due to false method. not to the real character of the study itself, which is a realm of human experience demanding study. For the science is an overwhelming demonstration, not only that man was made for religion, but also of the perfect religion for which he was made, and which was made for him-realised and being realised for him as briefly set forth in the Creeds of the Church.

J. MACBRIDE STERRETT.

## THE RELATION OF ENGLISH TO AMERICAN CHURCH LAW.

THE relation of English Church Law to American Church Law involves many questions of great importance. And I undertake this essay rather in the hope that I may suggest some considerations of a pretty fundamental character which may help toward a final solution of those questions, than with any expectation or intention of settling any of them by means of anything that I may say.

I. Law, as the word is intended to be understood and used in this essay, is a rule or action that has come to be accepted as having such sanction and authority that all persons ought to regard it as a matter of conscience to follow and be guided by it, and of such importance and authority, moreover, that all persons may be justly compelled to observe and follow it, or be punished for

not doing so.

In this sense the law in every well-ordered community, whether civil or ecclesiastical, consists of three parts or

elements:

1. Such principles and usages as have arisen out of the necessities, instincts, and common-sense of mankind, relating to their dealings and relations with one another as members of such a community. This, in the earlier stages, constitutes the *unwritten* common law. No community can exist without some such rules and recognised principles of action. No two persons can walk together, unless they are agreed in regard to at least some of the things that are to be done or left undone by them.

This common law—the lex non scripta—is the basis

and starting-point of all laws, whether legislative enactments or judicial determinations. And it may be as well to notice the fact that even this common law may be regarded as consisting of two elements (1), that which grows out of the nature of man, and (2) those usages which grow up apparently out of mere circumstances and accidents, and are adopted into use by common

consent and the acquiescence of all persons.

2. In every civil or civilised community there arise occasions for the adjudication of disputed questions or disputes between members of that community. This adjudication is the function of a court, and the determination is based, to a large extent, at least, upon the unwritten common law. But after a principle has been once formulated and stated in this way, or by this means, as a principle of law, it becomes a part of the written law, and is recognised as such; and after it has been accepted and acquiesced in for a series of years, it comes to be regarded as so sacred and obligatory that no person—not even a judge, acting in his official capacity—is expected or allowed to depart from it.

3. Then, lastly, there arise, in the progress of communities, occasions for legislative enactments. By the increase of population, and the changes that will occur in their condition and occupations, it will sometimes come to pass that a law which has been wise and just hitherto will operate badly in the altered condition of men and things. New cases also may arise for which there has been hitherto no provision of law and no occasion for any. In all such cases the proper remedy is an act of legislation—the making of a new law. In this way, and for this reason, we come to have statute law. And these three elements are found in what is called "the

law" of every community.

II. When any system of law has grown up in this way it has a strong hold upon the hearts and consciences of the people—so much so that it seems to be a part of their nature—a part of the instincts which seem to be but the common-sense of mankind.

Hence, in all cases of the conquest of one nation, or

part of a nation, by another, the conquest does not change this common law any further than the change in the sovereignty makes a change necessary. The laws that relate to contracts and the private rights and relations of the individuals one to another, the constitution of their courts and the mode of procedure in them, and even to a large extent the very officers who interpret

and administer the law, remain as before.

Or again: if a part of the people of any nation go off and colonise in any place that is not under the recognised sovereignty of any other nation, they take with them their laws. And if it should so happen that they have no officers to administer these laws, they organise a community and appoint officers for that purpose; but the old laws are still in force, except in so far as change of country and of circumstances may make the old laws inapplicable, until they are changed or repealed by

competent authority in the new community.

This principle was well illustrated by the colonists who settled this country from England. The laws which they brought with them and regarded as in force here contained elements of the three kinds named. Acts of Parliament were in force here until superseded or repealed by competent legislation, either here or in the old country. But the general principles of the common law were considered permanent. In many of the colonies this principle was declared after the Revolution, when the colonies had become States independent of the sovereignty of the mother country; and in others it was assumed by the courts and acted upon on general principles.

Now, what was true of the Civil or Common Law in the States was true of the ecclesiastical or Canon Law in the Church. And this I assert not only on the ground of the general principle I have stated, but it is confirmed

by the express declarations of the Church itself.

In the Preface to our Prayer Book we read, "the attention of this Church was, in the first place, drawn to those alterations in the Liturgy which became necessary in the prayers for our civil rulers in consequence of the

Revolution." But the Preface adds, "this Church is far from intending to depart from the Church of England in any essential point of Doctrine, Discipline, or Worship, or further than local circumstances require;" that is, as I understand it, they did not intend to depart from the Church of England at all in any essential point of doctrine, discipline, or worship, nor in any other, though unessential matter, any further than local circumstances might make it necessary to do so.

This emphatic declaration in the Preface to the Prayer Book might be confirmed by many other authorities, if it

were thought necessary.

The doctrine thus stated becomes the more explicit for us when we consider that the Preface to the Prayer Book already cited defines very precisely the scope of the legislation referred to. It says: "In every Church what cannot be clearly determined to belong to Doctrine must be referred to Discipline." Hence, when the Prayer Book says that it is not intended to depart from either Doctrine, Discipline, or Worship, it must include in the scope of the statement all and whatever is embraced in the Canon or Ecclesiastical Law. And under the head of Discipline, as the word is here used, we must have the two parts—morality, or personal conduct, and ritual, or the official conduct of the clergy.

III. Thus far we have followed the analogy between the Church and the State, the Civil and the Canon Law, and it seems to be very complete. But we come now to a point where the analogy, as I think, does not hold, and the relation becomes one of contrast rather. And the mistake—as I cannot but regard it—which has very generally been made has not only led to great diversities

of opinion but to many errors in the result.

r. In the first place, it has been assumed that inasmuch as there is an analogy between the organisation of our nation and the subordinate States on the one hand, and the Church, with its General Convention, and the subordinate Dioceses on the other, there is in the Ecclesiastical law an analogy, in regard to its adoption or force, with the Common law, and the same principle

must prevail in the one case as in the other. Now, as the Common law of England did not enter into and form any part of our *national* law, the Church law, it is held, cannot enter into, form any part of, or have any force

in our Canon law of the Church at large.

It is quite true that to a certain extent English law had no force in our United States courts as such. But it has defined for us the courts, given us the rules of proceeding, etc., in those courts, and the doctrine referred to was found to be so grave in its consequences that Congress, to remedy the evil, passed a law giving to the United States courts Common law jurisdiction to a very large extent (Revised Statutes, title xiii., ch. 7, sec. 629,

and ch. 3, sec. 563).

But the mistake is in the analogy. Our nation was a new creation. It was no perpetuation of the English It, of course, therefore, had no law as a body politic, except that which it itself had made. Its Constitution was new. It defined its own laws as "The Constitution," "Acts of Congress," and "Treaties." These three embraced and included all the laws that the United States, as a nation, was understood to have, and its courts were created to interpret and administer those laws and no others, except in cases that might arise where either from the citizenship of the parties or the place where the cause of action had arisen, the laws of the States or some one of them might come up for administration.

The Church, however, is not a new institution. The State, that is, the nation, was not regarded as a continuance and perpetuation of Great Britain and its laws and principles of civil polity; but the Church was regarded as a continuance and perpetuation of the English Church, its Doctrine, Discipline, and Worship, a branch of the English Church, as the English Church was a branch of the One Catholic Church.

In this case the analogy is between the Church of England and the States, rather than between England and the national government. The people of the States came here with the Common law, they organised with

it as their basis and code of laws, and they retained that code and its principles, all the laws of England, in full force, including Parliamentary statutes, except in so far as they had been repealed or had become inapplicable and impracticable through change of circumstances, or in

the form of government.

What, therefore, the English civil law was to the States, separately and individually, that the English Church law was to the Church in the United States, rather than to the diocesan organisations that were effected in the States. And the Church at large sustains, in this respect, the same relation to the laws of the Church of England as the several States in the Union do to the laws of the realm of England, as those laws were when our forefathers asserted and gained their independence.

2. Another very important difference is in the seat of power or authority in the two bodies, the Church and

the State.

With us the theory is that in the State all authority resides in the people. They form and adopt their State Constitutions; they elect their officers, and confer on them, by that election, all the authority they are supposed to have to make, interpret, or enforce the laws. Then, too, the people made the Constitution of this national government; and they give to it and its officers all their authority, all the right they have to be and to do anything. And they have expressly declared that the United States Government was created for a limited purpose, and to act with limited powers; and they have provided that the powers which are not expressly conferred upon the general government or prohibited to the States by the Constitution, are reserved to the States or to the people of the States (Amendment X.).

But in the Church it is quite otherwise. Here all authority comes from the Great Head of the Church. He founded it and gave it the power of perpetuating itself through all time, and extending itself throughout the world. With us, therefore, power in the Church comes down from Above, and it comes along the line of the

Church, and especially of its Bishops. Hence, wherever there are Bishops, Clergy, and people, there is Church authority. And whether Church authority may be exercised without the consent and co-operation of the people—the laity—and the lower orders of the Clergy or not, I will not stop to inquire, and do not intend to affirm or assume pro or con. But there is no doubt, I suppose, that the people—the mere laity—are not in and by themselves alone, a Church—not a source of Church law, or capable of creating any such law, or a court, convention, or other body capable of making law, and exercising Church authority without Bishops and Clergy.

3. Again our Dioceses are not the creation of the people. Nor did the people, whether acting as Dioceses or not, create the General Convention and give to it its Constitution. Bishops, Clergy, and people came together, and acting as an ecclesiastical authority, they organised a General Convention; the reserve of power is with them; they can propose amendments to the Constitution whenever they are in session; these proposed amendments they send down to the Dioceses. But the Dioceses need take no action upon them. Their assent or consent is not necessary to the adoption of the amendments. Nay, it is possible—though I presume it will never occur—that the General Convention may, after such preliminary steps, adopt an amendment after it has been disapproved and voted against in every Diocese in the land.

Here, then, the contrast is complete. And as we say in regard to matters of State and secular law, the powers that are not conferred on the General Government are reserved to the States or to the people; so we may say in the Church, and with reference to Ecclesiastical law, that whatever authority and power is not given or conceded to the Dioceses and to the people thereof, is reserved in the hands of the Provincial or National Church, to be exercised by the General Convention and the Bishops thereof.

4. I refer to another very important point of difference between the two codes, and the administration of them,

which I think has been overlooked, and the neglect has led, as I think, many of the writers whom I have consulted into mistakes or confusion.

In all civil codes there are two kinds of laws, the one is sometimes called *private* law, because it relates to the private relations of subjects or citizens to one another, and the other is called *public* or criminal law, because it is assumed to relate to the relations of the subject or citizen to the government or the sovereignty. Out of the one class of the laws arise what are called *civil* actions. and out of the other arise criminal suits. In a civil suit the suit is brought and prosecuted by some one who has sustained a wrong, as tort or breach of contract, for the purpose of enforcing the specific performance of the contract or for the recovery of damages. In criminal suits the suit is brought and prosecuted by the State, and the defendant, if the suit goes against him, is convicted of a crime and punished accordingly; the party who may have sustained damage by the wrong act gets no redress or recompense as a consequence of this conviction.

Now, in any of our courts the civil actions brought to settle the questions of right as between citizens form the largest part of the cases that come before the court. Not only so, but it is in the determination of these suits that the Common law, the English Common law, and even in some cases the unwritten law, is of use, and is, in fact, indispensable. A suit of this kind may not be dismissed for want of a law applicable to the case. law, and the law, is supposed to exist if not written in the books, yet contained in gremio magistratus. And if it cannot be found anywhere in the books, it must be drawn from that recondite source. And when found it is propounded, a case is settled by it; and if it is acquiesced in by the people generally, or if it is adopted by the court of last resort, it becomes thenceforward a part of the written law. It constitutes a part of what is

sometimes called judge-made law.

But in the ecclesiastical courts proper there are no cases of this kind. The law may be, and in fact it is, a guide in the performance of one's duty. But if the law

is not observed, there is nothing like a civil suit that can be brought. No one member may sue another at law and recover damages for non-feasance or mal-feasance—no suit for tort or breach of contract,\* but only a criminal suit—a complaint for an offence—a violation—by action, or possibly by inaction, of some law for which

the offender may be punished.

The accused is put on trial. He is himself on trial—it is not the suit or case that is on trial as between parties to a civil suit. And if the suit goes against him, he is punished—reprimanded—admonished—suspended—degraded from the Ministry, or possibly excommunicated from the Church. But there is no recovery of damages. It is not a question of dollars and cents. It is a question of guilt or innocence, of obedience to or violation of law. The question is not whether the one party has endamaged the rights of others, violated a contract, or committed a tort; but it is whether he has obeyed the law or broken it, in violation of his Ordination vows, contrary to his obligations to the Church and its officers, and his duty to the Great Head of the Church.

Now, although we hear and read of "crimes at Common law," I am inclined to think that such language refers mainly to things and times that are past. Undoubtedly in all nations and countries there was a time when many things that ought not to be done had not been forbidden or prohibited by any statute or written law, which, nevertheless, would and ought to be punished by the magistrate. There are cases of wrong and outrage that could not be reached and remedied by any merely civil process. Hence the act must be treated not as a tort, but as a crime, or go unnoticed altogether. But with the progress of civilisation men became very jealous of their rights, and very anxious to know beforehand what they might do with impunity, and what they might not do without incurring the displeasure of the

<sup>•</sup> Possibly a suit of this kind might be brought in the civil courts to recover damages of a clergyman for non-performance of some duty on his part whereby the plaintiff had sustained pecuniary damage, or damage that could be computed and measured by money.

sovereign and the penalty of the laws. And I presume that this has gone so far in most or all our States that there is nowhere a place or a court in which a man may be proceeded against and deprived of "life, liberty, or property," as a penalty for a crime committed, without there being some statute, some positive enactment, in which the act has been described, prohibited, and a penalty prescribed for the offender when he shall have

been duly convicted of the offence.

IV. If I am right in this there is a very important sense in which it may be said that the Common law or the laws of England are not in force or recognised in this country as any part of our criminal code. That law may be cited for the definition of terms, for guidance in proceedings; but no one can be tried, convicted, and punished for merely having violated an English law, which has not been re-enacted and incorporated with our laws in this country by some competent legislative enactment.

If, therefore, any one should look to our ecclesiastical courts for any such recognition of the English Church law as he finds of the English Common law in the practice of our civil courts in civil cases, he would look in vain. The comparison should be made between our ecclesiastical courts and the trial of *criminal* cases in the civil courts of the land. And I think he would find, in fact, a very much larger recognition of the English law in our Church trials, in proportion to the number we have had of them, than he would find of the English Common law in the trials that are conducted in our criminal courts.

With regard, therefore, to offences for which one may be tried in this country, I presume there is no one which could rest on English law alone—no one that has not been described and prohibited as a crime or offence by some one of our own Canons.

But although I think that English Church law is not in force in this country in any such sense that it can be made the ground or basis of any proceedings against any one, I think it is in force so far, and in such a way, that it may be a rule and guide to action; and a defence and protection *against* prosecution, in so far as it has not been either expressly repealed or set aside by common and continual disuse.

And, in fact, our Church has expressly declared (Can. 2 of Title II.) what are the "offences for which Ministers may be tried and punished." There are five items, one of which, the fifth is, "Any act which involves a breach

of his Ordination vows."

Manifestly, therefore, no man can be tried and punished in this Church for any act regarded as an "offence" which is not included in one of these five groups—any act, therefore, which is merely a violation of any English Church law, however explicit, unless that act is included in one of these classes and forbidden by our law.

But English Church law is, nevertheless, of great value and force in the exercise of discipline and the conducting of Church trials. Its principles, like those of the Common law in criminal trials in all our civil courts, whether State or national, are the common basis upon which we proceed. We resort to it for a definition of our terms, the meaning of words, and for suggestions and helps at every step. It is virtually that commonsense, or the source of it, which every person present in the court and taking part in its proceedings is supposed to have and to exercise. The words in which "the ordination vows" are expressed are largely derived from the English, and we resort to their Church law, if need be, to determine their meaning when we bring a Clergyman to trial for an offence of this kind—"an act that involves a breach of his vows." We must ascertain and determine precisely what those vows mean before we can find any one guilty of an act that either violates or "implies a violation" of any one of them.

V. But with us discipline is not exercised exclusively by way of trial and punishment. Obedience to the Bishop and other chief officers in the Church, and a willing submission to their "godly admonitions" is one of the vows or promises that are made by every one when he enters the Ministry. And there are provisions

for "admonition" on the part of a Bishop without any trial (see Sec. ii., Can. 3, Title II.) See also Sec. ii., Can. 22, Title I., which expressly provides for "admonition" without formal trial, though under the "advice" of the Standing Committee, for certain offences in performing the Service. That this canon means to provide for "admonition" in certain cases without previous "trial" in the proper and technical sense of the word, is made certain by the words in the Proviso to Section ii.: "Provided that nothing herein contained shall prevent the presentment, trial, and punishment of any Minister under the provisions of Sec. i., Can. 2, Title II., of the Digest." That is, if the Bishop's Standing Committee or others named in the Can. 1, of Title II., shall see fit to present the offender for trial, he will have a trial; if not, the Bishop, with the advice of the Standing Committee, may adjudge him to have offended, admonish him, and warn him to do so no more.

Now this department of our Church discipline extends over and includes a very large field. Within it the Bishop has doubtless much to guide him besides the English law. He has, or should have, common-sense and good sound theology. He has, or should have, a knowledge of all the canons of our Church, and the decisions of our courts, if there have been any that are pertinent to the case. He should also know the usages that have prevailed and been approved or allowed in our Church. He should also know the opinions in regard to the matter that have been held and expressed by the wisest men in our Church. But after all there will be need of recourse to the English Church law, as a light and a guide, without which all else that he may have will be insufficient and leave him in constant danger of going wrong, and taking a step that will be a cause of regret and must sooner or later be retraced.

In this way and to this extent English Church law is in force in this country, in so far as it has not ceased to have the force of law by either (1) direct repeal, or (2) by common and continued disuse. It is of force, and is law for us as a guide to actions in the performance of duty,

but not as the basis of a criminal procedure or punishment. It is of use in defining terms, and in the guidance of those in authority in the performance of their official duty, but not in use or of force as a defence against the requirements of our canons, or the godly admonitions of those in authority. It is in use and of force for all the purposes of order, and the churchly performance of duties; but not as a means of official tyranny, factious opposition, unreasonable crotchets, senseless whims, and personal eccentricities.

VI. And here we encounter two questions of some difficulty and delicacy. How far has the English Church law which was in force when our ancestors came to this country either (1) been repealed by Church action in this country since that time, or (2) lost its force by general

and continued disuse?

1. We may consider the English Church law as it was at that time as consisting of three elements: 1st, express declarations of Holy Scripture; 2d, canons and usages having canonical force which originated in, and had come down from, the Catholic Church before the division of the East and West, including the canons and symbols of the General Councils; and, 3d, that part which, whether as canon, usage, or Episcopal prescription, had originated in England and was peculiar to the English Church.

I suppose it will be conceded that no repeal has been effected of any part of the first and second elements named above. And it may be doubted if we have any right or power to repeal or supersede any of the provisions or principles of either of these branches or parts

of the Church law.

But as to the third element, what the Church of England may have originated in its capacity as a Provincial Church, or, rather, as a Provincial branch of the One Church, the case is quite different. In regard to all such matters we claim to be her equal, and to have the right which she as well as we have asserted; "Every particular or national Church hath authority to ordain, change, and abolish ceremonies or rites of the Church

ordained only by man's authority, so that all things be

done to edifying" (Art. XXXIV.).

But of this third part of the English Church law there are the three elements spoken of at the beginning of this article as necessarily entering into the code of every community that is at all advanced in civilisation: (1) the unwritten common law, the prevalent usages and customs; (2) the written law that rests only on recognition and declaration by competent judicial authority; and (3) the positive law which rests upon enactments by the legis-

lative authority.

With regard to this latter element in any code, I suppose it is a well-settled principle that no such law can be set aside, or deprived of its proper force, except by legislative enactment. It cannot lose its force by disuse, however common or long continued. It cannot be set aside and declared invalid by any court or judicial tribunal, for such an act would be an assumption of legislative authority. (The case of a court's declaring a law invalid on account of a conflict with the Constitution is peculiar to this country, and need not be considered here.) There is indeed always a disinclination to enforce any law resting upon a mere statute enactment that has fallen into general disfavor and neglect. And in the Church most manifestly it would be unwise to attempt to enforce such a law. But in theory it is there, and in full force.

With regard to the second element, a law that rests on judicial determinations, the usual remedy and the best remedy is an act of the Legislature changing the But yet it is not without precedent and recognised authority for a court of highest authority and last resort to reconsider such a principle of law, and, as the phrase is, overrule it, declaring it to be no longer in force, and substituting something quite different in its place.

Nothing of this kind has occurred, however, so far as I know, in this country in a matter of Church law, nor do I think it likely that a case of this kind will occur.

But that which constitutes the unwritten Common law, and rests merely upon usage and habit, ceases to have the force of law as soon as it ceases to be a usage, a part of a common habit and understanding of men. I remember a case in the civil courts in which one of the parties claimed the right to what is known as the "three days of grace" in banking, on the ground that, although there was no law, statute or judicial, there was the common usage, amounting to a principle of law, in his favor. And the court sustained that view. But it held that the party must show that the custom was commonly understood and universally practised, and that a practice which had been allowed to go out of use, or to be omitted, had no longer the force of law.

Hence, manifestly, whatever was in use as a mere usage in the English Church when our ancestors came here, can be no longer of force as Church law, if it has not been continued in use until this time; and if it has been so continued it has come to have, by usage in this country, all the force it then had in consequence of

usage there.

2. With regard to direct repeal, made avowedly and with the intention of changing the law, there can be no doubt, if only the act was passed by a body having competent authority for such an act. There are, however, some cases of difficulty that occur in the matter, or per-

haps rather in the manner of the repeal.

Some of the provisions of a law may be repealed incidentally and by necessary inference, as when in re-enacting a law, a word or phrase is omitted which before formed a part of the law; or again, by the insertion of some new phrase or provision that is inconsistent with the old law. But it is certainly possible that in re-enacting or in codifying a law, words may be changed or left out with no intention of changing the law. Something is always implied which is not explicitly stated in the enactment of a law. And a usage which once needed an express statement in the provision of a law, may have become so common and so well understood and appreciated, that on the re-enactment of the law for amendments or emendations, it is no longer necessary to make express mention of this one particular. In such a case the

omission could hardly be regarded, in any fair interpretation and legal application of the law, as a repeal.

Or again, there are cases in which the omission of a phrase may operate not so much as a repeal of the obligation to do what it prescribes, as a prohibition of what it formerly allowed. If the matter be one in accordance with the common-sense of mankind, and such that all right-minded persons are supposed or may be supposed to be inclined to do it, the omission of all mention of it can hardly be called a repeal and as depriving it of its obligatory force. But if the clause be one which merely gave permission to do what would have been otherwise unlawful and not allowed, the omission of the words allowing it must, I should think, be regarded as withdrawing that permission, so that it could no longer be properly considered a part of the law.

It has sometimes been claimed that the omission of words or a formula in the revision has made that which was thus treated not only no longer obligatory, but as unlawful in the sense of being contrary to the law and forbidden by it. But this, I apprehend, must be taken with some limitations. The omission of the Athanasian Creed in the revision of the Prayer Book does not make it unlawful for us, as I suppose, to revere it and use it in our private devotions. Suppose there had been a positive enactment requiring of each member of the Church a tithe of his income; the omission of that provision in revising the law, could not operate to make the giving of a tithe unlawful for any one who might choose to make

that the rule of his offerings to God.

VII. All the proceedings in our ecclesiastical courts are, as I have said, of the nature of criminal proceedings. It is true they are not against "life, liberty, or property." But they are in all cases in personam, nevertheless; they are for "offences" against the Doctrine, Discipline, or Worship of the Church. Here we have had, fortunately, but very few trials. And by consequence the principles of law have not been extensively discussed or brought into judicial determination. And for this reason both the amount and the value of that

part of the Church law which I have had in view in this essay has not been very adequately determined, and, as I think, is not commonly supposed to be so great or so valuable as it really is. And I, for one, am free to confess that I do not think it desirable that that part of our law should be brought into very frequent discussion in our courts; or, in other words, I do not think it desirable that courts and "cases" should be of such frequent occurrence as to elaborate these principles of our law into definite form, or to fix much attention upon them as law. The essential thing of the Gospel is grace and love, and not the rigors and strictness of law.

Law is always and of necessity a limitation of the liberty and choice of action for some body or some party. True, it is a *protection* also to the rights and liberties of others, and is necessary as a condition of freedom and the enjoyment of our natural rights. Though necessary, it is an evil—a necessary evil, but an evil nevertheless. So far as it is a means of securing the liberty of others it is good—an inestimable good—indispensable to the welfare of the greatest number. But beyond this it is unwise, and becomes an unnecessary

restraint, if not an intolerable tyranny.

But in matters of religion it is manifest that more liberty may be allowed than by the civil laws, and in the sphere of civil and political rights. There, there must be a law for everything—everything at least that may be brought into dispute. But in Religion, in matters of Faith and worship, men may be allowed to differ and to go in different ways, each one having his own way, if they will be tolerant of each other, to a far greater extent

than is possible in civil and secular matters.

I have no doubt that injustice has often been done to persons under authority by those exercising that authority over them. But any appeal, if an appeal were allowed and provided for in all such cases, would involve not only the cost and trouble of the litigation, but it leaves other evils behind. It can hardly leave the law without some modification, some restriction upon the freedom of action which was allowed so long as that

point of law was undecided. Before, men might act either way as they chose, as in the thousand minor details of worship and duty; after the decision all men must act in the one way which has been declared to be law, in order not to be offenders against the law. If the charge against a clergyman be one of immorality, it is not likely that any reversal of the verdict of the court below by the appellate tribunal could do much, if anything, toward restoring the unfortunate man to that confidence without which there can be no successful prosecution of the work of the ministry. If, however, the charge be one of false doctrine or improper ritual in conducting the services, and the accused is condemned contrary to law, and the law is really on his side, the case is indeed a sad one, when there is no appeal. then it is to be considered that no appellate tribunal that we can erect will be infallible. Nor is it likely that its decisions will do much to affect or to change the public sentiment or the opinions of thinking men on the subject. And by an error in its decision it might fix an error upon us with all the rigidity of an inflexible law, where now we have liberty of choice and freedom of action in a matter which, from any point of view, cannot be regarded as one of the essentials of the Faith.

It may be a fault in the constitution of the English Courts, that no better results have been reached by the appeals and decisions that have been had in that country during the last twenty or thirty years. But I think that no one who recalls some of the opinions that were entertained and in favor with our Bishops and in our Church, forty or fifty years ago, on many of the questions that are now most in discussion, would care to feel obliged to abide by an "opinion" or decision that would then have been given, if a formal adjudication had been obtained. All doctrines and opinions, all rites and usages, are undergoing reconsideration in the minds of thinking men; and we may trust that the result will be a constant approach toward a more adequate understanding of the truth in matters of doctrine, and a higher standard of duty, as well as a more effective ritual in

matters of worship. And perhaps this is, after all, the best way that we can have for making progress, not-withstanding the many inconveniences and cases of personal hardship that must stand in the way of the most desired result.

W. D. WILSON.

## THE PRESENT POSITION OF THE ITALIAN CATHOLIC CHURCH.

TWO years ago, in an article entitled "Some Unfinished Business of the House of Bishops," published in the American Church Review, February, 1883, I told how the Reverend Count di Campello, after voluntarily giving up his high position as Canon of the Basilica of S. Peter's at Rome, had presently turned to the Catholic Episcopate in the Anglican Communion, and asked to be received under its protection, until such time as it should please God to constitute fully a National Catholic Church in Italy. At that time this application had not been answered. Our Bishops, it is true, assembled in Council (New York, 1880), had unanimously declared that the great, primitive rule of the Catholic Church-Episcopatus unus est, cujus a singulis in solidum pars tenetur—imposes upon the Episcopate of the American Church, and upon the several Bishops of the same, not the right only, but also the duty of protecting in the holding of the Catholic Faith, and in the recovering of the Catholic order, those in the position of the Count di Campello; but the House had adjourned without appointing any one of its members to act as the Executive of its Declaration, and no one of the several Bishops seemed to feel that his individual part in the solidarity of the Catholic Episcopate justified him in exercising this right and duty. Finally, however, it was arranged between the late Archbishop of Canterbury and the Bishop of Long Island, that the latter, being the Bishop in charge of the American congregations in Italy, should extend to the Count di Campello the help and protection asked for, acting as provisional representative, by appointment of His Grace, of an international Commission of Bishops, appointed by the Lambeth Conference in 1878, to deal with such cases. Fully qualified thereupon by sufficient license from the Bishop thus chosen to represent the Anglican Episcopate, the Count di Campello, who had confined his work thus far to mission schools and preaching, opened a becomingly fitted chapel in the Via Genoa, Rome, with full religious services.

His license recognised him "as a Priest in the Church of God," unaffected by any excommunications of the Bishop of Rome, under which he fell, *ipso facto*, because of his refusal to accept the Papal additions to the Catho-

lic Faith. It authorised him-

To execute his office as a "dispenser of the Word of God and of His Holy Sacraments," working wherever there may be lawful opportunity for a reform of the Church of Italy, upon the model of the primitive Church.

And in carrying out this work he was authorised by the same license,

Until such time as the service book in the Church of Italy can be duly revised, to make use provisionally of the forms of worship set forth by the Church in England and in America, or of so much of them as may be found needful, as well as of such part of the Latin uses as is consistent with the Faith and order of the truly Catholic and Apostolic Church.

For the time being, therefore, the Count di Campello celebrated the Holy Communion after the form used in the American Church, and used in his Vesper Service the Evensong of the Church of England. All services were, of course, in the Italian language. He was assisted in the services and school-work attached to the chapel by two priests—ex-monks—men who had suffered long and much for their convictions of truth, and one of whom has just closed, with the devotion of a saint and the constancy of a martyr, a long life of wonderful faith and patience.\*

<sup>\*</sup> Fra Andrea d'Altagene, a Capuchin monk, born in Corsica in 1820. His family name was Panzani. He died at Rome on the 28th of November, from internal disease, brought on by long-continued want of sufficient food. He was impris-

In December, 1884, Monsignore Giambattista Savarese-a Domestic Prelate of the Pope, of high rank and character—professed the Nicene Faith, and, after a formal renunciation of the corrupt additions made thereto by Popes Pius IV. and Pius IX., was received to Catholic Communion in the American Church at Rome. He, too, recognising the Catholic character and authority of the Episcopate in the Anglican Communion, applied to it for help and protection against the usurpations of the Bishop of Rome. His application was received by the present Archbishop of Canterbury, and referred by him to the Bishop of Long Island, from whom he received a recognition and license similar to that previously given to the Count di Campello. Monsignore Savarese, until this was arranged, gave himself chiefly to literary work in the interest of Reform, publishing a valuable work on the encroachments by which, contrary to the Canon Law of the Church, the Papacy had unjustly possessed itself of the Church property, and preparing the material for a revision of the Roman Missal. He attended public worship regularly at the chapel in the Via Genoa, but took no official part in the same until the month of June last, when, by an amicable arrangement with the Count di Campello, he was formally put in charge of the chapel, and recognised by him and his assistants as leader in the Italian Catholic Reform movement.

Monsignor Savarese is a man of fifty-six years of age, of a good Neapolitan family, who stood very high both

oned by Pope Pius IX. in 1860 for writing a work on the evils which had grown upon the Church and their remedy. It was not published. He sent it in manuscript to the Pope. He was tried by the Inquisition and sentenced to perpetual deprivation a divinis and twelve years in the galleys; but in 1863 he was released and sent to France at the peremptory request of the Emperor Napoleon II., who claimed him as a French subject. Later he was offered full rehabilitation by the Pope, but he answered that the causes for which he was sentenced were as real as ever—i.e., his conviction of the great evil of the temporal power. He came back to Rome in 1870, and supported himself by hard manual labor, never getting more than \$8 per month, and always putting aside part of this to publish writings that he thought would serve the cause of Reform. He was a learned man in his way, and a strong thinker, but rugged and uncouth in both appearance and speech, and he gained no recognition from the world. Yet so true was he, and patient, and full of taith and love to God, and gentleness to all men through his whole life of hardness and discouragement, that it cannot be but that he is very great in the Kingdom of God.

in order and seniority among the Papal Monsignori. He was made a Prelate by Pius IX. as long ago as 1858. He was well known in the Roman Communion in Italy and Germany as a theologian and canonist, and was one of the commission of picked theologians to whom Pius IX. entrusted the work of preparation for the famous Syllabus against modern errors, which went out as a prelude to the Vatican Council. His character in the Roman Church seems to have been unimpeached. and up to the last his standing was such that the present Pope, Leo XIII., had published at the expense of the Papal treasury his book on "The Church and Democracy," which appeared in 1882. The step of coming to a clear rupture with the Papacy was taken only after very long and anxious consideration. It led to an entire separation between him and the noted Padre Curci, whom he had defended in two successive works, and with whom he had lived for the past year at Rome; but the latter, in his long Jesuit schooling, had learned to bend before the blast from the Vatican, and then to spring back again, and to make seeming submissions, carefully worded so as to involve no real submission (as is the case even with his late one) with a facility that the former could not regard as honest, and which, indeed, has entirely put an end to Curci's influence in Italy.

I think that the great spiritual destitution of his people under the false shepherding of the Bishop of Rome, and the terrible loss of souls following therefrom, was the first and compelling reason that forced Monsignore Savarese to the sacrifice that he made; for he literally gave up everything when he left the Papal Obedience. And next to this, his conviction that the Papacy, which he had learned by his studies to know as the potent cause of schism in the past history of the Church, was to-day the one insuperable obstacle to the Church's unity.

The work, therefore, that he set before himself and his assistants in their chapel at Rome was to gather in a congregation of believers from that large portion of their fellow-citizens who were already separated from the Papal Obedience, and yet not wholly lost to Christianity.

All controversial preaching was prohibited, and working quietly on as well as they knew how-which was not very well-for none of them had had any parochial experience, they began, toward this autumn, to mould together into a homogeneous shape a small body of laity that they had reclaimed from every possible degree of indifferentism and form of rationalism, when suddenly, on the late warlike Feast of S. Michael, the Bishop of Rome, by a public *Notification*, which was posted on all the churches of Rome, and which seems to have been reproduced in all the Papal press of Europe, hurled the Major Excommunication against the Italian Catholic Church, and particularly against the "Congregation of S. Paul, situated in the Via Genoa" in Rome. The bolt was made as hot and heavy as well could be, and may be supposed to have exhausted the Papal resources in the way of cursing. Remission of its penalties is reserved to the Pope himself, and these are extended not only to the Clergy and regular members of S. Paul's Congregation, but to all who join even casually in worship or hear preaching in its chapel, or induce others to do so, to "those who enter the chapel even from mere curiosity when preaching or worship is in progress," and there is included in the same censure, "finally, all those who publish any notices of their sermons or meetings, or report the themes of such sermons, because of the assistance that they thus lend to the diffusion or confirmation of this heresy."

The Notification itself is a formidable document of three columns issued by "Lucido Maria Parocchi, Cardinal of the Holy Roman Church, . . . Vicar-General of the Holiness of Our Lord," and ends with an order to the parish priests to read it to the people on a festival day and explain it—a direction which produced same truly extraordinary preaching from the Roman pulpits on the following Sunday. This document is worth examination, as a manifestation both of the present feeling at the Vatican in regard to the religious condition of Italy, and also of the practical claims made today as seriously as ever for the Papacy. It also shows

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very plainly the light in which the Roman Curia regards not only the Old Catholic movement, but also the Anglican and the Oriental Churches. It begins by reciting how, at the beginning of his Pontificate, Leo XIII. set himself to exorcise the threatening growth of heresy in Rome, by a warning address to his children. fers to an Excommunication promulgated in 1878 against any who should enter a Protestant church in Rome, and was drawn out by the fact that large numbers of Italians had begun to come in to hear the Evensong in the American church. But, notwithstanding the undoubted good done by this warning, the Cardinal-Vicar goes on. "the evil has still spread," and "to-day new woes threaten this city. A so-called Congregation of S. Paul, in the Via Genoa, arrogating to itself the title of Catholic, and abusing the name of Italian, is trying to entangle the Romans in Schism and Heresy;" and so it is very necessary "to raise the voice high and denounce the And very high His Eminence thereupon does raise his voice, with an acrimony and an indulgence in vituperation, and, I am sorry to have to add, a want of careful regard to strict truth in some details that is little becoming in the Vicar of one who asks the world to accept him as the Vicar of Jesus Christ.

Out of the somewhat confused mass of vituperative and often trivial accusations with which the Cardinal's long and angry Proclamation is filled, one finally makes out three principal charges against the Italian Catholics. First, Breach of ecclesiastical discipline; secondly, Schism, and thirdly, Heresy. Under the first head fall accusations that, while apostates who still retain their priestly character and maintain in substance the worship of the Church, they have dared to abolish the proper language of the Church, which the Cardinal describes as "the bond of union of the faithful from the Amazon to the Tagus, from Terra del Fuego to Iceland, the language of the Councils and of the Fathers," and to conduct their worship in a tongue that the people could understand; and beyond this, to introduce varieties in the ritual (referring probably to the administration of the

Holy Communion in both kinds), "without the consent of the authority that orders the worship of the universe."

They are charged with Schism, because they are preaching without "being sent"—without mission from a Bishop. "The Levite," as Cardinal Parocchi expresses it, "waits upon the commands of the priest, who stands under the Bishop, and the Bishop in his turn glories in being subject to the Roman Pontiff, to whom, in the person of Peter, Jesus Christ committed his flock solely, entirely, and without limit or reserve, and," concludes the Cardinal, "what place remains for them in the fold of Jesus Christ when they have strayed from the fold of Peter, who received the whole in keeping?"

But the charge of Heresy is sustained by the most numerous and by some rather singular accusations. The first among these runs thus: "It is no secret that they in common with the sect of Old Catholics—the last-born of heretical sects, that arose some fifteen years since to afflict the Church—impugn the Primacy of jurisdiction of the Roman Pontiff, and his Infallibility when defining dogma ex cathedrá in matters of Faith and morals. Hence they are manifest heretics." Moreover, His Eminence has found out that they are in open sympathy with "the so-called Gallican Church, miserably begotten by Hyacinthe Loyson;" and he thereupon takes the occasion for a digression against the said Church, because it would exterminate Confession under plea of making it free and moral—does not give to the Virgin the dogmatic title of Mother of Gop—distinguishes, with regard to their origin and authority, between the canonical and deutero-canonical books of the Bible, and holds the schismatic Orientals and the Anglicans to belong to the true Church. And then, coming back to the Italian Catholic Church, the Cardinal-Vicar arraigns it for believing in-I quote his very words-"Religion adapted to the cultivation of the people, and to the needs of modern civilisation, in preference to the true Catholic Religion" a most naive confession that the Papal Religion, which the Cardinal is pleased to call the "true Catholic Religion," is not adapted to either the cultivation or the needs

Further, the Cardinal quotes from books of the century. which he says the Italian Catholics have freely disseminated among their proselytes, certain passages in one of which prove them to his mind to be heretical in their teachings in regard to Absolution, i. e., "Almighty God hath given power and commandment to his ministers to declare and pronounce to His people, being penitent, the Absolution and Remission of their Sins, whilst the Gospel affirms concisely, Whose sins ye remit; Whose sins ye retain;" while others, taken from their hymns deny, as he says, the indefectibility of the Church, and the real presence in the Eucharist. I fear that they must plead guilty to having put our Service for Evening Prayer into the hands of their members; but the hymns which the Cardinal quotes against them were never sung in their Church. They are found in a Wesleyan Italian Hymn Book, which was used in their choir for a few of its tunes, but was not in the hands of the congregation, and was never distributed to their members.

"Add to the concealment of Catholic truths," the Cardinal triumphantly concludes, "the total absence of Invocation of the Immaculate Virgin, or the Angels, and of the Saints, the frozen breath of Protestantism breathing from beginning to end of these books, and then deny, if you can, the profession of heresy on the part of the so-called Congregation of S. Paul of the Italian Catholic

Church."

He then attacks bitterly their name of "Italian Catholic Church," as illogical and contradictory, forgetting that all he says on this point could be urged with even greater force against the official title of his own Church, and he affirms that the Popes have written the sublimest pages in Italian history, and been the authors and protectors of every beautiful, noble, and useful institution in it.

It is difficult to realise that a document of this kind could be seriously put forth in this year of Our LORD 1884. I have seen nothing in modern times equal to it in insolent assertion of the most extreme Papal claims against every non-Papal form of Christianity, Eastern

and Western alike, and against all rights of conscience. "Let us only be thankful," mocked one of the leading daily papers of Rome "that the Holy Father allows us to walk through the Via Genoa at all;" but others treated the matter more thoughtfully, and saw in it an attempted outrage upon the rights of the citizen and upon the liberty of the press. If any one else but the Pope were the author of such an injurious attack upon a citizen he could be forced by the civil law to retract the false statements made, and to atone for the wrong done; but to-day the Pope stands above the law in Italy, in this respect, far

more so indeed than the King himself.

On the 17th October appeared an answer to the Cardinal-Vicar's arrogant Notification, signed "for the Italian Catholic Church," by Mons. Giambattista Savarese, Conte Enrico di Campello, and two assistant priests, and addressed "To the Italians." It would have been better had it been shorter, but it was not as long as the Cardinal's attack, and much more to the point; and above all it was entirely free from angry or disrespectful vituperation. The authors claim that an answer has become necessary, not for the sake of any private interest, or to defend their injured reputation, nor for the sake of speculative truth merely, but because the salvation of souls is at stake and the religion of the masses, which the Apostles Peter and Paul first taught the Romans, and thousands of martyrs sealed with their blood.

The Papacy, dominated by the Jesuit sect, has put itself into irreconcilable antagonism with everything which makes for man's highest civilisation and true The freedom of the press and of conscience, the popular vote, the representative form of government, the very unity of the country itself are condemned as errors and most pestilent heresies, which the Pope cannot forgive, bound as he is not to contradict the Vatican dogma of Infallibility. No link of the chain can be broken, and those who will not lie to God, themselves, and their confessor, by pretending to believe in the absurd dogma of the Divine Prerogative

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lent to the elect of the Roman Cardinals, must live without the Sacraments and die without the comforts of religion. But just as impossible as seems any hope of accord between civilisation and the Papacy, seems possible and certain the harmony of both science and liberty with the universal Church founded by CHRIST. The Roman Church, S. Paul teaches, is not the root, but a branch, and not a natural one at that—borne by the one root—the REDEEMER, who might at any moment The Pope is not the Catholic Church which existed before the Gospel was ever preached in Rome. The Government of the Church rests in the Universal Episcopate, to which, in the person of Peter, as S. Augustine teaches, Christ committed the feeding of The Bishops, if successors of the Apostles, cannot receive their mission, as Romanists say, from The Saviour said to the Apostles and their successors, "As the FATHER hath sent me, so send I you." The WE of the Pope is not worth the I of the Incarnate Wisdom. According to S. Paul (Acts xx. 28), the elders were placed by the Holy Ghost as Bishops to feed the Church of Gop, and therefore S. Cyprian held the Episcopate to be one in which each Bishop held an equal part, and S. Jerome taught that their different sees carry with them no difference of merit or worth—whether at Rome or Gubbio, Constantinople or Rhegium, all have the same Priesthood, all are successors of the Apostles. The Excommunication launched against us wounds thus not single persons, but the Church Universal, from which the Curia has declared itself in schism by this ill-judged act. In this state of things our mission comes from the Bishops who have stood fast in the Faith and discipline of the Catholic Church, like those of the venerable Churches of the East, which have never been subject to the Bishop of Rome, those of the Anglican Churches, and those who in Holland, Germany, and Switzerland have had the courage to maintain the Catholic Faith against Papal usurpations. This truly Catholic Episcopate, recognising us as Catholic Priests, has given us authority to preach the pure Gos-

pel, and to give the Sacraments to such as are deprived of them by the Bishop of Rome, and thus of the spiritual food of their souls, only because they hold fast the pure Faith of our fathers, and refuse to believe in new dogmas. And besides the truly Catholic Episcopate, are with us in spirit learned and pious Bishops in Italy who have not yet bowed to the new dogmas. Everyone knows the serious revolution brought to pass in the divine constitution of the Church by Papal ambition, by which from judges of the Faith, the Bishops have been reduced to advocates in the Papal Court, by the grace of the Pope; from brethren and partners in the one Episcopate to inferiors, valets, and train-bearers of the Bishop of Rome, before whom they bow the knee, kiss the shoe, sit on the lowest step of the throne, and render the service of acolytes. And for their greater abasement the Cardinals, intruded into the Catholic hierarchy a thousand years after Christ, in the saddest times of barbarism and ecclesiastical corruption, command them as masters. Let us hasten by our prayers the moment when our Bishops can manifest freely their opinions, in defence of the old discipline of the Church, and this especially in the matter of the election of Bishops, by Clergy and people, a right exercised in Italy for twelve centuries, which will be certainly recovered when the religious spirit is revived in the masses, and they become conscious they have rights in the Church.

Nor is the accusation made against us of heresy better founded than that of schism. From this S. Vincent of Lerins, a teacher fully acknowledged by the Curia, cleanses us perfectly when he warns us, that when new error threatens the Church, we must hold fast to antiquity, which is beyond the reach of innovators. As the Vatican additions to the Faith are not found in the Gospels, in which is found everything that is necessary to salvation; as in the Nicene Council, the jurisdiction of the Bishops of Rome is defined and limited to a district of a hundred miles around the city; as the Third General Council ordered the restitution of the jurisdiction usurped over

provinces which had been independent from the earliest times; as the Council of Chalcedon laid down the rule that ecclesiastical sees should be accommodated to political changes; and as, finally, the Council of Trent itself acknowledged and declared the Apostles' Creed to be the one foundation of the universal Faith of the Church, we can remain Catholics with the whole Church of the past, even while we repudiate all belief in the new dogmas. That only is really and truly Catholic. according to Lerins, which has been everywhere, by every one, and always held in the Church. The personal infallibility of the Bishop of Rome is an addition to the primitive Faith of the Councils of Nice and Constantinople; is contrary to the definitions of the Councils of Constance and Basle, confirmed by Eugenius IV.; and, in short, according to the seventh canon of Ephesus and the decrees of Chalcedon, which forbid any addition to the Nicene Faith, the Bishop of Rome has incurred the penalty of deposition. But we are not heretical, because we hold no error opposed to Catholic truth, and we have no intention of contradicting the certain definitions of the Church, whose primitive Faith, on the other hand, we are striving to keep pure. The proofs falsely brought forward by the Cardinal-Vicar to convict our Liturgy of heresy fall to the ground before the almost incredible fact that as it is published only today, it could not possibly have been read by him.\* We

<sup>&</sup>quot;I do not take up now the subject of the Italian Catholic "Liturgia," as I hope to review it in a separate article later on, together with the Offices for Morning and Evening Prayer, now in preparation. It will be enough to say of it here that it is a translation of the Latin Missal, revised only so far as was necessary to bring it into harmony with Catholic teaching and primitive practice. The slight but dangerous additions by which the comparatively modern doctrine of the Invocation of Angels and Saints were introduced into the Mass have been unsparingly cut out. The same has been done with the words obtruded into our Lord's institution of the Holy Eucharist. The administration of the Cup to the laity has been restored. Beyond these changes, under the limitations of their license, they had no right to go at the present. Nor would it have been wise to do so. The present "Liturgia" is purely provisional, a stepping-stone, I trust, to a future revision which will be able to take into account not only the essentials of doctrine but the cultivation and the requirements of modern society as well. It is right also to say here, that this Revision of the Missal was not reviewed by the Bishop of Long Island, and can be considered as approved of by him only so far as it has conformed to the authorisation of his license, to use, namely, 'such part of the Latin uses (Roman and Ambrosian) as are consistent with the Faith and order of the truly Catholic and Apostolic Church.'

are not trying to create doubt in the minds of those who are not troubled by the contradictions between their religion and their loyalty to their country. Our work of vital import is to receive those who still believe in Christianity, but cannot endure these contradictions. To such we willingly offer the Sacraments, assuring them that, if they stand fast with antiquity, they can smile at the empty name of heretic, which fits better him who with sacrilegious blasphemy arrogates to himself the mission of CHRIST who alone may say, "I am the Way, the Truth and the Life." Nor need they fear the guilt of schism, because, so long as they are in union with antiquity, they cannot be separated from the Catholic Church. Neither need the appearance of rebellion against the Roman Curia alarm them, because there are circumstances, according even to the Jesuit Bellarmine, which make this not only lawful but a duty, as the open opposition of the Apostle Paul to S. Peter, or of SS. Cvprian, Augustine, Ignatius, and other saints to the Bishops of Rome.

The Vatican would have been lenient toward heresy in us, and, perhaps, have pardoned some little schism, if it had not been for our Italianism, which is what the great Pretender abhors above all things. Public opinion has rightly judged that this is our true sin in the eyes of the Roman Curia, as shown by the bitter, stinging, and scornful language on the part of the Cardinal-Vicar's Notification which touches on this point. Our prayers for the King, our warm wishes for the independence and the greatness of our country, this is the unpardonable sin of which our congregation has been guilty. Yet we had nothing to do with any party. We but taught our people to render honor to the august head of the nation, both as a religious and a civil duty, and above all to love the country, which, after God, has a right to our best love, and in which we were, by the providence of God, born citizens before we were made children of the Church. Why from hatred of this our country is the use of the vulgar tongue, granted in some other cases, unlawful in us? Pope John VIII. taught that the diversity of languages served to the greater glorification of the Divine Majesty. Neither was one tongue alone ever the language of the Catholic Church, which in its Councils used Greek before it used Latin.

The answer concludes by reminding the Italians that Christ was the head of those who were cast out from the synagogue, and therefore suffered without the gate. Let us go forth, therefore, to Him, without the camp,

bearing His reproach.

Such is a pretty close résumé of the answer made by the Italian Catholics of Rome to the rulers that have cast them out, and it certainly contrasts most favorably in spirit and in force of argument with the angry, overbearing, and reckless attack upon them of the Cardinal Vicar. The impression made by it, wherever it could find a circulation, has been very favorable, and this whole matter has been a great help to them in many ways. It has brought their hopes and efforts to the knowledge of thousands who had never heard of them; it has aroused a certain sympathy in their favor in quarters that generally have cared for none of these things, and it has clearly defined the position of the leaders before the country and to their ownselves.

They have gained confidence in themselves by standing fire, and are stronger to meet the harder fighting that lies before them. For they know well now that if they hold out after this, in their protest for the Catholic traditions of the Church, every possible effort will be put forth to crush them, and no mercy will be shown; for the Vatican sees in this little cloud that has begun to arise in the horizon of this spiritually famished land a danger which the Pope himself is said to have characterised as greater than any that Protestantism has threatened in Italy. The battle for these men will be hard and long, and must be fought with terrible odds against They are few in numbers, poor, undisciplined, untrained, and without political or social influence. The Papacy, on the other hand, can no longer, it is true, since 1870, fight its spiritual battles with the brute force of the temporal power, informing consciences by the

dungeons and fagots of the Inquisition, but its power in this country in material things is still almost incredibly great. It has practically unlimited supplies of welltrained men and of money. It has enormous social influence. It has political influence in high quarters; zealous, if concealed agents serve it even in the Government offices. It has the press, both native and foreign, very largely at its disposal. It has in Rome to-day, as over against these men, pretty much everything on its side except-truth. And it has latterly organised its powers with great care, and it uses all its resources unscrupulously. To all this must be added the fact that the Infidelity of Italy is always ready to lend a hand to the superstition of Italy in strangling any truly Catholic movement, for it hates and fears any Reform that stands firm upon the foundations of primitive Christianity even more than it does Romanism, from which it is born, and which it knows full well is serving its ends.

Their brave fight for truth, under such unequal conditions, should, I think, command our sympathy and interest for these men; but there is a higher reason. It is not only abstract truth that is at stake, it is, as they say, the present salvation of souls. Romanism has made Italy well-nigh an infidel country. Scepticism and Materialism have eaten deep into the vitals of the Roman Church itself; but, besides this, the larger part of the Italian people have strayed entirely away, not only from that Church, but from the Christian Faith itself acknowledged in any dogmatic form. The cause of this may, indeed, be questioned by Romanists, but not the fact, which has formed the burden of oft-repeated Papal denunciations since 1870. The cry of these spiritual estrays may not yet be very bitter, for, poor souls, they do not yet realise their own great want and danger; but the sight of them wandering further and further into the thorny tangles of Rationalism, or the foodless deserts of Materialism, is very sad, very piteous. There is no power in the Roman Church to call them back. The make-shift folds to which they are urgently

called by the many Protestant missions, started of late in Italy, seem to them unattractive, and cold, and foodless; and built, as these largely are, on plans of man's devising, they question whether the shelter therein offered is really safe and can be permanent. These multitudes, scattered far and wide as sheep without a shepherd, this Italian Catholic movement, as declared from its beginning, is seeking. Some of them may hear its call. I see no reasonable hope of saving for them in any other quarter.

R. J. NEVIN.

S. Paul's Church, Rome, December 1, 1884.

## HERBERT SPENCER'S PLEA FOR RELIGION.

To most people, Agnosticism seems to be the negation of Religion, and it cannot be denied that there is very good ground for this supposition. And yet in the First Principles Mr. Spencer makes a strong and very valuable plea in behalf of Religion, which fails of its most essential force because it stops at the point it does. We believe, however, that this great Agnostic has done an exceedingly useful service, in establishing indirectly a philosophic basis for Religion. It is much for this able scientist to claim in the interest of Religion that it has a sphere and function, that can never be touched by the tests of Science or disproved by its utmost advance. In these days of materialistic tendency, we can hardly estimate the future importance of his strong stand upon the certainty of the existence of a supreme absolute Power.

It is true that he maintains that this Power is unknowable, but he earnestly defends the truth that it exists. This is his very positive statement (p. 98): "Though the Absolute cannot in any manner or degree be known, in the strict sense of knowing, yet we find that its positive existence is a necessary datum of consciousness; that so long as consciousness continues, we cannot for an instant rid it of this datum; and that thus the belief which this datum constitutes has a higher warrant than any other whatever." We have italicised the last clause, in order to show how perfectly ingenuous is his plea that "there can never cease to be a place for something of the nature of Religion." "Throughout all future time, as now, the human mind may occupy itself, not only with ascertained phenomena and their relations, but also

with that unascertained something which phenomena and their relations imply." "Knowledge cannot monopolise consciousness;" hence Science can never encroach upon or occupy the sphere of Religion. "It must always continue possible for the mind to dwell upon that which transcends knowledge;" "the subject matter" of Religion "is that which passes the sphere of experience."

Let us now examine somewhat in detail this plea, and see what fatal defect it is which still justifies the popular notion that the Agnostic tendency is to Atheism.

In the chapter on "Ultimate Religious Ideas," he claims that there are only three possible hypotheses respecting the origin of the universe (pp. 30, 33, 35). These are Self-existence, which is the theory of Atheism; Self-creation, which is Pantheism; and Creation by external agency, which is Theism. It will help us in our criticism upon his treatment of these theories, to notice

three points as preliminary to it.

First, Mr. Spencer is right in distinguishing between symbolic and real conceptions. We doubtless do continually mistake symbolic conceptions for real ones. "Great magnitudes, great durations, great numbers, are none of them actually conceived, but are all of them conceived more or less symbolically; and so, too, are all those classes of objects of which we predicate some common fact." We must admit that we have not always remembered that our conceptions of God, of eternity, of creation, are not adequate and therefore real, but symbolic, representative of the truth. Yet our symbol of what is beyond our actual powers of imagining, is after all representative of a reality. It is the means by which that reality becomes such to our minds; and, however inadequate, must stand for the great truth it represents. We do not really conceive the earth itself; the solar system is utterly inconceivable: but for all practical purposes our ideas of these are sufficiently near to the reality. The incompetence of our symbolic conceptions regarding the origin of the universe, then, is not a practical, but a philosophical deficiency.

But, secondly, it must be remembered that the incon-

ceivable may be an object of thought and knowledge. Mr. Spencer says (p. 103), "It is impossible to realize in thought the force of gravitation." Yet this force has been so much an object of thought, and in its manifestations of actual knowledge that the law of gravitation has been formulated. Unpicturable as the exercise of any force is, the fact is ever in our consciousness. The absolute may be an inscrutable Power, but its manifestations are a means by which it may be known. We cannot conceive infinite space or infinite time, any more than infinite Being; but they can all be thought, otherwise we could not have ideas about them. Hamilton's distinction between "images of sense and the unpicturable notions of intelligence" is quite a valid one. Professor Harris, in an article in the Journal of Speculative Philosophy, has applied his distinction to the idea of space. The length of the quotation may be pardoned, for the importance of its bearing on our discussion.

He says: 1. Imagination or fancy (sensuous representation) makes images of objects; and, as images must have limits in order to have form, we could not expect to imagine that which is infinite, if such an object could be found.

2. Thought (using "the unpicturable notions of intelligence") contemplates the nature of an object, and attaches predicates accordingly. It is no contradiction if its "unpicturable notions" cannot be imagined.

3. Thought of space. - Space if finite must be limited from without. But such external limitations would require space to exist in. And hence the supposed limits of space, posit space beyond them instead of negating space—they prove space to be continuous and not finite. It appears, therefore, that space is of such a nature that it cannot end in, or be limited by, itself alone, and thus is universally continuous or INFINITE.

4. Representation of space.—If the result attained by thought is correct, space is infinite; and if this is so, it cannot be imagined or represented. Hence, as Hamilton says, "Imagination sinks exhausted." If imagination had succeeded in "realising" space, it would have proved space to be picturable, and hence finite; and here would have been a true contradiction. As it is, however, the impotency of imagination is a negative confirmation of the positive assertion made by thought.

This needful distinction will show the confusion of language in such a sentence as this: "We are eternally debarred from thinking of the Absolute." We shall never conceive it, it is true; but Mr. Spencer immediately proceeds to think about it as that which lies back of the relative, as the most persistent datum of our consciousness. That it is inconceivable, therefore, does not prevent its

being an object of thought.

Thirdly, each of the hypotheses of the origin of the universe may be inconceivable; yet one of them must be The criterion of truth established in the Psychology (vol. ii. pt. vii. caps. 9, 11) is, that any proposition is true, the negation of which is inconceivable. The universe must have had some origin, and there are only three possible suppositions regarding it. If a fourth is inconceivable, the truth must lie in one of the three. He uses the same method himself. " Matter is either infinitely divisible or it is not; no third possibility can be named." Both are inconceivable, and still one of them is true. We may grant then at the outset the inconceivability of the reality expressed in either theory, and may yet hope by the processes of thought to find the truth in one of them.

Returning now to the theories themselves, we may well appreciate his demonstration of the futility of the Atheistic hypothesis of self-existence. The strength of his argument does not consist in the proof that we cannot frame a conception of self-existence; but in the conclusion that Atheism is inadmissible, because even if conceivable, it does not explain what it pretends to. "No one will say that the existence of an object at the present moment is made easier to understand by the discovery that it existed an hour ago, or a day ago, or a year ago; and if its existence now is not made in the least degree more comprehensible by its existence during some previous finite period of time, then no accumulation of such finite periods, even could we extend them to an infinite period, would make it more comprehensible. Thus the Atheistic theory is not only absolutely unthinkable, but, even if it were thinkable, would not be a solution. sertion that the universe is self-existent, does not really carry us a step beyond the cognition of its present existence; and so leaves us with a mere re-statement of the

mystery."

The Pantheistic hypothesis of self-creation fares similarly at his hands. "Really to conceive self-creation is to conceive potential existence passing into actual existence by some inherent necessity." But again the insufficiency of Pantheism is not its inconceivability, but its inability to solve the problem of the origin of the universe: "The problem would simply be removed a step back. For whence the potential existence? This would just as much require accounting for as actual existence; and just the same difficulties would meet us. Respecting the origin of such a latent Power, no other suppositions could be made than those above named—self-existence, self-creation, creation by external agency." We are not made one whit more capable of understanding how this universe came into being, as self-created, even if it were possible to imagine to the mind such a process.

There remains, therefore, the Theistic hypothesis of creation by external agency. As to this, we readily admit it to be quite as inconceivable as either of the others. But it is unnecessary to represent it as "the Carpenter theory." The crude conception which Mr. Spencer so well assails is not identical with the idea of creation There is no need of confining this to creation out of nothing. It is just as applicable to creation out of himself; and this is surely as representable in thought, if not in picture, as his own idea of all Matter and Force being but the manifestation, of the outcome, of the unseen, absolute Power. But then the genesis of the universe by external agency itself must be accounted for by one of the same three hypotheses. How came there to be an external agency? The supposition of its creation by another external agency is useless; "It commits us to an infinite series of such agencies, and even then leaves us where we were." By self-creation "we are practically involved in the same predicament; since, as already shown, self-creation implies an infinite series of potential existences." We must accept self-existence then as our only alternative; since the truth must lie

somewhere in these hypotheses, and it cannot be found elsewhere.

But have we any more warrant for certainty that it is found here? I think we have. It is just here where Mr. Spencer begins to falter. In each of the other cases, he shows that, not only is the theory inconceivable, but even if it could be represented to the imagination, it would not forward our understanding of the problem. Here he asserts that "the mystery would be as great as ever," even if we could picture to ourselves the act of creation, because the external agency would itself require explanation. But we submit that it is a very different thing to have an inconceivable origin of the universe and an inconceivable creator, to explain. of self-existence and self-creation are not only inconceivable, but unthinkable. A creator is, it is true, inconceivable, but perfectly thinkable. The distinction pointed out above, I think, establishes this. Mr. Spencer says: "Those who cannot conceive a self-existent universe, and who therefore assume a Creator as the source of the universe, take for granted that they can conceive a selfexistent Creator." They do nothing of the kind. They arrive at the certainty of a Creator, not by a process of conception, but by a process of thought. We do not imagine Him, we think Him, just precisely as Mr. Spencer does not imagine or conceive or picture his Absolute, but thinks it, defines it as a fact of consciousness, points it as the ultimate truth. Just too as Mr. Spencer thinks it as infinite, as eternal, as Force; as a reality, moreover, an existence, which is self-existent. For the latter is the only refuge from absurdity; and though confessedly incomprehensible, undoubtedly true.

There is a species of unfairness in characterising this idea of a Creator, as one of those symbolic conceptions, which "are altogether vicious and illusive, and in no way distinguishable from pure fictions;" when the identical charge may be made for the same reason against his own radical idea of the Absolute. If creation by God is entertainable only as a "pseudo-idea, as a square fluid and a moral substance," because it cannot be pictu-

rably put together in consciousness; then the Absolute is an illegitimate symbolic conception for precisely the same reason. Everything advanced by him against the tenability of this theory, may be urged equally well against his fundamental thought. The inability to form a conception of the Absolute does not prevent him from postulating it, when its existence is proven; and the same inability need not prevent our acceptance of the Theistic origin of the universe, when shut up to that by the exigencies of thought. There is no difficulty to his mind in the idea that the universe comes out of, is a manifestation of, the absolute Force,-unrepresentable though this be. Now, mental being is the highest, deepest, fullest manifestation of force we know. If, therefore, his theory is in any degree adequate, the Theistic hypothesis has equally valid ground, nay, ac-

quires even a stronger validity.

The "soul of truth in things erroneous" in Religion he thus makes to be "the inscrutableness of creation." The ultimate religious idea is, "that the Power which the universe manifests to us is utterly inscrutable." In his reply to Professor Birks, in the appendix, he contends that this Power "must be, to the emotional consciousness, an object to the sentiment we call religious;" that "this unknown and unknowable Power is the object-matter of Religion." He bitterly complains that Professor Birks has misrepresented him as saying, that our ignorance was the sphere of Religion, instead of the power itself. Yet one who reads the chapter on "Ultimate Religious Ideas," and especially pages 44-46, cannot fail of the impression that it is not the existence of the Power, but its inscrutableness, which is the "deepest, widest, and most certain of all facts." Far more care seems to be taken to confront us with the Unknowable, in its character of mystery, than to provide a sphere for that religious sentiment which contemplates it as unknowable. page 106, the sphere and function of religion appear to be identified with nescience. The "vital element in all religions," that "which all creeds have in common," is repeatedly indicated as a "mystery ever pressing for

interpretation," but uninterpretable. There is a grim, sardonic humor in this assertion that the only point in which religious thought has been stable, which has become constantly clearer, and which remains after discordant elements are cancelled, unassailable by the most unsparing criticism, is the annihilation of every positive religious idea, and of all reason for religious worship. This is the fatal effect of Mr. Spencer's plea for Religion, that it really deprives Religion of any sphere whatever.

We have seen that he claims that there can never cease to be a place for Religion, that it will forever have its sphere and function among men. But he utterly ignores this sphere when he leaves us simply face to face with the inscrutable. What possible function Religion can have in such a contemplation, he carefully omits to say. It indeed seems a little satirical for him to remark generally that this "gives the religious sentiment the widest possible sphere of action;" when he indicates absolutely nothing of the possibilities of this sphere, and the average man will look upon it as the contraction of the sphere to a mathematical point. It would have been satisfactory if he had shown in some detail what room there could be for Religion, under his system. The unknowable is a mere philosophical abstraction, the statement of a negation; and Religion needs something That which has fed the life of every Religion positive. has been the attempt to solve this inscrutable problem. The knowledge that it is insoluble takes away the whole power of the religious sentiment. Indeed, he confesses as much by effecting the harmony between Science and Religion by their concurrence in the assertion of this one truth. Science and philosophy (p. 108) as distinctly assert the unknowable as Religion. As they can and do accomplish what he says Religion will ceaselessly do, the latter has no separate function, and becomes identical with a certain phase of philosophy. The perpetual effort and failure which he suggests as the profitable discipline of the religious soul (p. 113), comes to an end when one realises that nothing can be known. He has

norance, is the sphere for religious feeling."

If we could interpret such statements by the truths of the Christian revelation, we could readily understand their use; especially as "Being" is an unusual word for him to employ. It is absurd, however, to say that "the choice is between personality and something higher;" for personality is the highest thing we know. It is mere special pleading, and quite unlike his usual method, to ask: "Is it not just possible that there is a mode of being as much transcending intelligence and will as these transcend mechanical motion?" The fact that "we are totally unable to conceive any such higher mode of being," while "not a reason for questioning its existence," is a reason for not asserting its 'existence, on his own He seems himself to realise the necessity for a positive justification of Religion; for he admits that "there will ever remain a need to give shape to that indefinite sense of an ultimate existence, the necessity of representing it to ourselves in some form of thought." What if this is a symbol? Religion has always dealt with symbols; it is essential that the Infinite should become related to our hearts, and this can only be done by means of symbols. They may not be adequate, they may not imply any revelation of the essential nature of the Divine; but they will be practically useful, and they will represent verities. They will not be algebraic signs, which may mean anything or nothing; but they will mean to the worshipper his understanding of the Divine in its manifestations. When he comes to think that the tokens of direction in the manifestations of the universal energy will not allow him to predicate wisdom of it, and the apparent beneficence of nature's tendencies are not enough to convey the idea of its goodness; he will give up all thoughts of the religious life; he will lose all trace of the religious spirit. The recognition of an unknowable will then be only a sentiment, an awe, a wonder,

that cannot evoke the feeling of intelligent worship, and that can have no control over the motives and affections. Mr. Spencer says: "By continually seeking to know and being continually thrown back with a deepened conviction of the impossibility of knowing, we may keep alive the consciousness that it is alike our highest wisdom and our highest duty (!) to regard that through which all things exist as the unknowable." But it is unquestionable that his philosophy will teach men to give over such efforts; and when these have ceased there will

remain no function for Religion to exercise.

Valuable, therefore, as his service has been in furnishing a scientific reason for Religion in the certain existence of a Higher Power: he has done his best to nullify this by narrowing the part which Religion has to play, until it becomes inappreciable. He is very careful to exhibit his system as Agnosticism. Nescience: "duly requires us neither to affirm nor deny." This seems quite removed from an Atheistic standing-point, in its modesty and self-restraint; but it is to be feared that it cannot be practically distinguished from it. Mr. Austin Holyoake, who speaks for his fellow-disbelievers, says: "Some religious persons charge Atheists with denying the existence of a God. But no Atheist of any position who has written or spoken on this subject, so far as I am aware, ever was guilty of such folly; for to deny, would be to imply that you knew there was no GoD-which would be equivalent in presumption to saying there is one. Thomas Cooper, in his 'Purgatory of Suicides,' said:

> 'I do not say—There is no God; But this I say—I know not.'"

This is clearly and tersely put, and is as true of every man alive as of Thomas Cooper. Mr. G. H. Lewes said: "All reflective Atheism is suspensive." That is, the judgment is suspended. Which is simply a reluctant uncertainty as to the consciousness of nature, or as to the existence of a Power over nature. Mr. Bradlaugh says: "The Atheist does not say there is no God, but he says,

GEORGE C. FOLEY.

## THE OUTLOOK OF TOLERATION.

WITHOUT being followers of Mr. John Stuart Mill, we may readily agree with him in speaking of Liberty as likely soon to become "the vital question of the future." The momentous interest of all the questions which centre in liberty to-day can hardly be overestimated. Toleration is one of the most difficult and urgent of them. Mr. Mill himself appears to discern this, when he begins to speak of "the liberty of expressing and publishing opinions." And he fairly admits that this species may fall under a principle different from that of the generic head. He even thinks it may be without the bounds of the "appropriate region of human liberty." And he is quite right to be cautious on such a point.

If ever the exigency of the times has called for the thorough consideration of a great question, that exigency exists now, and that question is: How far shall

we tolerate?

Are we to take the advice of the Rev. Dr. Dix, and venture "up to the very edge of medieval error, if you will, and down to the very threshold of nineteenth century sectarianism?" Or, are we to let Mr. Mallock's satire of the "New Republic" have its weight, and Dr. Jenkinson, his typical latitudinarian in the Church, persuade us that "Christianity really embraces all religions, even an honest denial of itself?" Are we to listen to the winning words of the late Dr. DeKoven, as when he imagines a "Treatise" to be written by his accusers, and suggests that it be sent forth in binding, neither of Russia, nor of sheep, but of boards? "Then will it be purchased by that party which our fathers knew not, which is neither

high nor low, nor broad, but pre-eminently what may be called hard Church. And when the work is done, if it be accepted, farewell to the brave old days and the brave old men, out of whose difference often came the higher truth: farewell to high-toned earnestness and straightforward independence, and to the grand heritage of toleration of our Mother Church." Or shall we allow the London Guardian to fault us, in company with Canon Farrar, for "that intolerance of intolerance which is the most intolerant thing in the world?"

Such questions as these, it will be seen, turn on ecclesiastical authority as well as on conscience; on Discipline as well as on Order and Truth; on executive firmness as well as on executive clemency. And they demand that with respect to doctrine and discipline some fixed principles of government for the Church should be laid down, so that all may be the better informed, and the obedient may be protected from the disobedient.

It must be confessed that the outlook of toleration is neither bright nor serene; nay, it is rather stormy and ill-omened.

What then is proposed in this essay is, to look for some guidance from the history of opinion, from the exclusive method of Science, truly so called; from the settled principles of social order, law, and government, and, most of all, from the authority of Holy Scripture, so that we may arrive at some practical conclusions on the subject before us, likely to contribute to its clearing up and settlement.

## A HISTORY OF OPINION.

In the first and second centuries, the Apostolic Church must have maintained the principles of religious liberty in their right balance. Since that period, however, these principles would appear to have been more obscured than illustrated.

Mr. Hallam makes the rather surprising statement that "Such a genuine toleration as Christianity and Philoso-

phy alike demand had no place in our Statute Book before the reign of George III." (Const. Hist. Eng., c. XV.) What he alludes to must be the political agitation for relief of the Irish Roman Catholics, running through Parliament during all the years 1813, 1817.

1825, 1828, 1829.

Hallam's opinion of the "Act of Toleration" (1689), is that it was "a very scanty measure of religious liberty." Macaulay agreed with him as to the form of the Act, but differs as to the popular acceptance of it. Buckle holds that it marked "the era from which the enjoyment of religious toleration may be dated." And Lecky es-

teems it the Magna Charta of religious liberty.\*

The era of the Protestant Reformation, while naturally associated in many minds with liberty, was not productive of toleration. Calvin, in Geneva, and Knox, in Scotland, were both persecutors on principle. And in England we know too well that a Protestant Bishop burned a friar for refusing to call the King "Head of the Church."† The strange fact is that first from among the Roman Catholics of that period, both in England and in France, the revival of religious toleration may be observed.

The good Sir Thomas More, Lord Chancellor of Henry VIII., expressed in his Utopia (B. II.) the opinion then (1514) most perilous as well as singular: "that no man ought to be punished for his religion;" that no other force than persuasion should be used, "no re-

For the information of any reader who may be disposed to follow out this study, we append the following items:

Two flimsy edicts were put forth under Charles II. The first, A Declaration in Ecclesiastical Affairs, in the year of his restoration; the second, in the year 1662, entitled a "Declaration for indulging Non-conformists in matters ecclesiastical."

<sup>\*</sup> It gave no toleration to Unitarians (Macaulay, Church and State). It gave none to offending ministers of the Church of England (Burn's Eccl. Law).

The Statute authorising the Writ de heretico comburendo, was in process of development during the years 1381, 1400, 1413, 1414. This writ was not abolished until Charles II. (1678).

In the first year of Edward VI., an Act was passed "repealing 25 Henry V., and all former Acts concerning Doctrines or matters of Religion, so that at this time there was no law at all for punishment of Hereticks" (Thomas Hobbes' Hist. Narration Concerning Heresie). This would seem to be inconsistent with the above, given on authority of Mr. Justice Stephen.

James II., April 4, 1687, Declaration for Liberty of Conscience.
The Bishop was Latimer and the victim was Prior Forest.

proaches nor violence with it; and such as did otherwise were to be condemned to banishment or slavery." True, he was subsequently called upon to prosecute the earliest Lutherans and the latest Lollards, as Fox and Bishop Burnet cannot but report; but both from the testimony of Erasmus and from More's own letters, the humanity and enlightenment of the man are proved to have been far in advance of his age.

Then there was another great Chancellor, Michael de l'Hôpital by name, who from under the very shadow of his masters, the Guises, procured the passage of edicts (1560–1562), promotive of toleration in the Kingdom of France. The Edict of Nantes was, in 1598, granted to the Protestants by Henry IV. after his perversion to

Rome.

To return to England, we may mention with pride the example of Hooker, who conducted controversy so ably, while tempering it with such Christian fairness and moderation as relieved it of all bitterness. After him, Bishop Sanderson, under James I. and Charles I., both held and spoke the truth in firmness and in love, rebuking disobedience in Church and State, and determined, he says, "both to speak as plain and to offend as little as might be." His opinions, particularly in the more difficult cases of conscience, are the most respected among those of our standard authors.

Dr. Chillingworth, more ardent against Church authority than wise to discriminate, wrote about the same time; and to judge from such modern critics and warm admirers as Buckle and Lecky, he must have been a perfect hero of tolerance. The opinions and acts of the Protector Cromwell are well known. His policy of a free exercise of religious preferences was so complicated by his appointed "triers," as to entirely defeat its osten-

sible purpose.

Bishop Jeremy Taylor, from his ability and the fact that he lived under Charles I., Cromwell, and then Charles II., has always occupied the most prominent place among the divines of the Church of England on this special subject. He has been quoted, or rather

mentioned by the radicals of toleration with such confidence as to mislead many. Upon comparing his work, "The Liberty of Prophesying," written while he was a political exile in Wales, with his sermon preached at the opening of Parliament in Ireland, after the Restoration and after he had been made Bishop, one observes a considerable difference in tone and statement. But vet the difference, such as it is, never warranted such reproach as his critic, Coleridge, reluctantly bestows upon For, all through "The Liberty of Prophesying," there are passages of caution and limitation that quite prepare the reader for the more severe expressions of

the sermon.

But it was reserved for Roger Williams, here at the same time in America, to take a prominent place in the history of opinion. "The Bloudy Tenent of Persecution for Cause of Conscience discussed in a Conference between Truth and Peace," London, 1644-such was the title of a little work that marked an epoch in its way. The writer did no more than insist on the separation between the Magistrate, or arm of the State, and the orthodox body of believers. These latter were to have and execute their own sanctions without ever having to call upon the officer of the law as the secular arm or as the sword of the Church. Good doctrine and far ahead of England to-day, but not so new, for the Chancellor de l'Hôpital had anticipated it, in this very particular, by nearly a hundred years. Nevertheless, this little work of Roger Williams, purporting to reply to Mr. Cotton's tenets of persecution on behalf of his Puritan body, should be of particular interest to Americans, for Church and State with us have since become constitutionally separate, and we have realised the hopes of this early sufferer for conscience sake. But what a lame affair. after all, this tolerance was in the mind of Williams! Strange that, after so much controversy, he should have learned so little about it! For we read in Mr. Cotton's answer that Williams, while at Salem, "neither admitted nor permitted any church members but such as rejected all communion with the parish (Church of England)

assemblies, so much as in hearing the Word among them." And Williams has it in his work (ch. xix.) that "if the members of a church of Christ shall upon some delusion of Satan kneel at the Lord's Supper, keep Christmas, or any other Popish observation, great tenderness ought to be used in winning his soul from the error of his way; and yet I see not that persons so practising were fit to be received into the churches of Christ now, as the Jews, weak in faith—that is, in the liberties of Christ—were to be received." (Rom.

xiv. I.)

The first impulse given to the Maryland Act of Toleration\* (1649) is ascribed by an American writer, quoted by Mr. Gladstone, to the entreaties of the friends of Roger Williams, seconded by Copeland, a learned Episcopal divine, who shared his views of toleration. This influence of Williams and Copeland appears to have been first exerted upon the British House of Commons in an Act passed in 1645 and in another Act or Ordinance passed in 1647. The Maryland Act, therefore, in Mr. Gladstone's opinion, "seems to have been an echo" of this "home" legislation. In the colony itself, the small legislative body which passed it appears to have been two-thirds Protestant to one-third Roman Catholic, "the recorded members being 16 and 8 respectively." Bishop Lay, in his Discourse at the Centennial of the Diocese (1883) sums up the whole matter by saving:

We hold in all honor the burgesses of Maryland for their simple and strong remonstrance against the enforcement of the religious conscience; but, so far as concerns the Roman Catholic element of that body, we must remember that it was in the time of their persecution, not of their dominance, and that the asylum they sought to secure was most needed by their own fathers and brethren.

<sup>\*</sup> From its text, these extracts will suffice: "That the enforcement of the conscience has been of dangerous consequence in those countries wherein it had been practised." . . . "No persons professing to believe in JESUS CHRIST should be molested in respect of their religion, or in the free exercise thereof." A fine was imposed on "those reproaching any with opprobrious names of religious distinction."

† "It was a wise measure for which the two Lords Baltimore, father and son,

In the Mother-Church, again, the case of Bishop Hoadley (1705) was that of the first "Broad" Churchman under censure of his brethren. He was as anxious to minimise in dogma as any modern Sadducee; but the State intervened in his behalf and he escaped. William Law's celebrated letters to Bishop Hoadley form the only valuable contribution, on Church authority and discipline, in the whole, tedious, Bangorian controversy. The out-speaking and aggressive Dr. South (1633-1716), left sermons that bear directly upon our subject, as also Dr. Barrow did before him: the former treating the Dissenting conscience with a thorough but caustic analysis; the latter arguing for ecclesiastical obedience with great scope and

power.

We come now to that next period of the discussion, when persecution had no longer its terror to the Church, but it became her duty earnestly to contend for "the Faith once for all delivered to the saints." This period was well marked by Dr. Waterland. It was in 1735 that he delivered, as Archdeacon, his charge on the subject of "Fundamentals." The term had become known in England, nearly a hundred years before, when Cromwell's divines had made an attempt to draw up "the fundamentals of religion," and had failed. But Dr. Waterland, with a few masterly strokes, vindicates the term and the importance of discussion upon it.\* He finds a critic in our day, William Palmer of Oxford; but this author's objections seem like cobwebs blown away by Waterland's strong words. "Have we not full warrant from Holy Writ (the latter asks) for regarding first the weightier matters and then the matters less weighty, for giving most earnest heed to some things in contrast with ordinary heed to others? And, then, proceeding, he makes the following plain case for us, con-

\* Bishop Taylor had said before him: "Whatsoever is against the foundation of the Faith . . . . does not pretend to compliance or toleration."
"Liberty of Prophesying," Ep. Ded.

deserve the highest honor. But the measure was really defensive; and its main and very legitimate purpose plainly was to secure the free exercise of the Roman Catholic religion." ("Vaticanism," Ap. H. W. E. Gladstone.)

\* Bishop Taylor had said before him: "Whatsoever is against the foundation of

necting his term, "Fundamentals," with our own, Toleration, by an indissoluble link:

There were in the days of the Apostles Judaisers of two several kinds; some thinking themselves obliged, as Jews, to retain their Judaism along with Christianity, others conceiving that the Mosaic law was so necessary that it ought to be received under pain of damnation, by all, whether Jews or Gentiles. Both the opinions were wrong; but the one was tolerable and the other was intolerable. Wherefore S. Paul complied in some measure with the Judaisers of the first sort, being willing in some cases "to become all things to all men," (I Cor. ix. 19-23, Acts xvi. 3, xxi. 21-26.) And he exhorted his new converts of the Gentiles to bear with them and to receive them as brethren. But, as to the Judaisers of the second sort, he would not give place to them by subjection, no, not for an hour, lest "the truth of the Gospel" should fatally suffer by it. (Gal. ii. 5, 21.) He anathematised them as subverters of the Faith of CHRIST, and as a reproach to the Christian name. (Gal. i. 7-9, v. 12.) This simple instance may suffice to point out the distinction between fundamentals and non-fundamentals; and to illustrate the use of it in practice.

He distinguishes further between fundamentals "considered in their abstract nature as essential parts of the Christian system, and fundamentals considered in a relative view to the salvation of particular persons." And, finally, he exhibits his analysis of the Christian Covenant as the basis of the fundamentals of Christianity itself. In this resolving of the rule or ratio of a fundamental into the doctrine of the Christian Covenant, Dr. Waterland tells us he only follows the lead of Baron Puffendorf, the Jurist and authority on the law of Nature and Nations. Other rules of fundamentals, from the fullest, de fide, to the most attenuated thread of doctrine, he considers and sets aside in favor of his own, humbly conceiving that by it "we may with sufficient certainty fix the terms of communion" with differing Christians, and, on the other hand, laying it down, that there shall be "no communion with impugners of fundamentals."

Archbishop Whately, it is well known, inclined more to liberty than to authority, but such a man is the more instructive, when he is not extreme. Much of what he says of the spirit of persecution is unnecessary to us, now

a half-century removed from him, and being in the New World, where religion and law have learned their respective places. Yet such sentences as these will serve to mark his position:

To say that religious liberty does not imply irreligious liberty, is to say of a person, that he is at liberty to remain within the walls of the prison, but not at liberty to leave it. . . . There is a heresy of Indifference to revealed religion, which is the most deadly of all heresies. . . . It is not enough to believe what you maintain, you must maintain what you believe. . . . Some persons follow the dictates of their conscience only in the same sense in which a coachman may be said to follow the horses he is driving. . . . The liberality of some men is but indifference clad in the garb of candor.

William Palmer, in his work on the Church (1838) takes up severally the subjects of Indifference in Religion and of Toleration. This author brings down the succession of opinions, through Blackburn (1766) and Dr. Hampden (1836), both "broad" men, to his own day. He informs us of the censure passed upon the latter by the University of Oxford. On the subject of Toleration, Palmer's opinions are those of a zealous advocate of the Establishment, if not of a decided Erastian; so much so, that his editor, the late Bishop Whittingham, is tempted to correct him at every step.

Of Church authorities, the last we need notice in this study of opinion is the present Bishop of Winchester, Dr. Harold Browne. From his valuable work in exposition of the Articles of Religion we can make two brief extracts. The first is the concluding sentence under Article VIII.: "Peace is infinitely to be desired, but it is better to contend for the Faith than to lose it." The last is under Article XXXIII.: "The peculiar nature of the connection between the Church and State in England and the prevalence of what are called Erastian opinions have been the great causes why ecclesiastical censures have lost their power and become a dead letter amongst us." The first is a trumpet of no uncertain sound, calling for defence of the Truth imperilled in these days. The last is a mortifying confession of faulty

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constitution and debilitated government in the Church

of England.

Except the opinions of those two grand old Chancellors, we have, thus far, been observing only the working of the clerical mind on this subject. That which marks an era in the discussion is the fact that Toleration has entered into the thinking of the laity in the last sixty or seventy years as it never did before. It was a question that could not escape the eye of Coleridge, or fail to

come within his comprehensive grasp.

This author's foresight and sagacity are exhibited in his brief treatment of the subject to a wonderful degree, and only serve the more to make us regret that he never carried out a declared intention to write an essay "in which (he says) I hope to state the grounds and limits of toleration more accurately than they seem to me to have been hitherto traced." ("The Friend," Gen. Intr. Essay XIII.) Laying down firmly the distinction which he would maintain between law and religion, he proceeds to point out that the present age is likely to see the "usurpation of the function of religion by law," in reaction against the old and long-continued usurpation of the function of law by religion. For himself, he says:

But, notwithstanding this deep conviction of our general fallibility and the most vivid recollection of my own, I dare avow . . . that, as far as opinions . . . are concerned, I neither am tolerant, nor wish to be regarded as such. According to my judgment, it is mere ostentation, or a poor trick that hypocrisy plays with the cards of nonsense, when a man makes protestation of being perfectly tolerant in respect of all principles, opinions, and persuasions, those alone excepted which render the holders intolerant. . . . That which doth not withstand hath itself no standing place. To fill a station is to exclude or repel others, and this is not less the definition of moral than of material solidity. We live by continual acts of defence that involve a sort of offensive warfare. But a man's principles, on which he grounds his hope and his faith, are the life of his life. . . . He who asserts that truth is of no importance except in the signification of sincerity, confounds sense with madness and the Word of GoD with a dream. . . . As much as I love my fellow-men, so much and no more will I be intolerant of their heresies and unbelief. And I will honor and hold forth the right hand of fellowship to every individual who is equally intolerant of that which he conceives such in me. ("The Friend," Gen. Intr., Essay XIII.)

Since Coleridge's day there have been authors who recognised the place of this subject in the philosophy of Civilisation, and under the whole structure of Government. As preliminary to them, these few words of the late Mr. Carlyle will show that he gave it some thought:

Intolerance coiled like a dragon round treasures which were the palladium of mankind was not so bad; nay, rather was indispensable and good. . . . Intolerance, with nothing to protect but empty pots and eggs that are fairly addled, is doubly and trebly intolerable. I do not praise the tolerance talked of in these times; but I do see the wisdom of a Truce of God being appointed, which you may christen tolerance, and everywhere proclaim by drum and trumpet, by public cannon from the high places, and by private fiddle, till once there be achieved for us something to be intolerant about again. There are a few men who have even at present a certain right, call it rather a certain terrible duty to be intolerant, and I hope that there will be even more, and that their intolerance will grow ever nobler, diviner, more victorious. But how few are there in all the earth! ("Spl. Optics," 1852.)

It might be wished that more in such strain had been spoken by that eccentric genius. Soon after that date, appeared the leader of the new school, charging with free lance upon all settled beliefs—Mr. Buckle; and in his company, as colleagues, or critics, the late Mr. Mill, Lecky, J. Fitzjames (now Sir James, or Mr. Justice) Stephen, Max Müller, and others. These men have enlarged the field of discussion, have stimulated thought; and, though often rather bitter than sweet in their reflections, they have made most valuable contributions.

Mr. Buckle would have us believe that men must learn to doubt before they begin to tolerate; that this doubting stage, "far from being yet completed in any country," is upon us now, a stage probationary, preparative to the final one, toleration, pure and simple, if not absolute. At least, this seems to be his meaning when he says that toleration is "the ultimate form of the religious history of the human race." ("Hist. Civ. Eng.," Ch. VII.)

Buckle was followed by Lecky in his use of the historical method. Lecky avoids his leader's blunt offensiveness, but, like him, treats the whole question as a purely religious one, which it is not. He practises upon

the target of "exclusive salvation," as if that were the

only field for his flying shafts of criticism.

The appearance of J. Stuart Mill's work on Liberty, late in that author's life, marked the removal of the discussion from historical and religious, to social and philosophic grounds. The study of society, its industry, progress, and government, the philosophy of the individual, his rights rather than his duties, these were seen to be favorite themes with Mr. Mill. Asserting with little or no proof what he calls, at times, the "simple principle," that nothing but self-protection can justify coercion, he seems to have adopted another, not so simple principle-it is said after William Humboldtviz., that "the peculiar evil of silencing the expression of an opinion is that it is robbing the human race" of the fruits of "human development in its richest variety." But there are two things which Mill cannot bring himself to tolerate under the broad shield of his liberty: these are public ignorance and fixed principles. Compulsory education is one of his watchwords,\* and his scorn of what he calls the "deep slumber of a decided opinion" is unpleasantly suggestive of a watchman's rattle in the dead of night.

In the hands of his critics, Mill fares badly. J. Fitzjames Stephen points out, that the "simple principle" would soon destroy all government. "To force an unwilling person to contribute to the support of the British Museum is as distinct a violation of Mr. Mill's principles

as religious persecution." He adds:

Both religion and morality are, and always must be, essentially coercive systems: [they] bear, even when they are at their calmest, the fraces of having been established, as we know that in fact they were, by word of command. . . . The real problem of liberty and tolerance is simply this: What is the object of the contention worth? Is the case one—and no doubt such cases do occur—in which all must be done, dared, and endured that men can do, dare, or endure? or, is it one in which we can honorably submit to defeat for the present, sub-

<sup>\* &</sup>quot;Is it not almost a self-evident axiom, that the State should require and compel the education, up to a certain standard, of every human being who is born its citizen?" ("Liberty.")

ject to the chance of trying again? According to the answer given to this question the form of struggle will range between internecine war and friendly argument. . . . Mr. Mill's doctrines about liberty of opinion and discussion appear to me to be a kind of Quakerism. They are like teaching that all revenge whatever, even in its mildest form, is wrong, because revenge carried to an extreme is destructive of society. "In short, toleration is in its proper sphere so long as its object is to mitigate inevitable struggles. It becomes excessive and irrational, if, and in so far as, it aims at the complete suppression of these struggles and so tends to produce a state of indifference and isolation, which would be the greatest of all evils, if it could be produced." ("Liberty, Equality, and Fraternity.")

Prof. Max Müller, in an address delivered at Birmingham, 1879, comments on the rapid realisation of some of Mill's views of Liberty, and congratulates "the most liberal town in England on having proved itself the most inexorable tyrant in carrying out the principle of compulsory education."

And so, to bring this review of opinion, reaching from the Reformation to the present day, to an end, we may recapitulate by observing three well-marked stages.

First.—There came the hesitating period, beginning with Sir Thomas More and ending with Bishop Taylor; a period of some little advance in the doctrine of toleration, but of much more unsteadiness and inconsistency. Theoretically, there was a widening of thought and a deepening of Christian feeling; practically, there was perfect acquiescence in the retaining of the Civil Magistrate by the Church to enforce the dreadful penalties of

her displeasure.

Second.—The earnest period, opening with Roger Williams and closing with Dr. Waterland, was boldly characterised by the incoming of the American element, the absolute severance of Church and State; the former cutting herself off from all employment of the Civil Magistrate, and so far discountenancing what had become only too well known as Persecution. This was the practical reform of the period. Its theoretical advance was the introduction of "Fundamentals" into the discussion, such as Dr. Waterland more especially brought about.

Third.—This may be called the philosophic period. Marked more particularly by the thought of laymen, it exhibits toleration with larger scope than before, while it professes to limit toleration within bonds of reason, rather than of authority. To Coleridge, unquestionably, belongs the initiating of the movement, which we have followed down to our own times.

#### DEFECTS OF PRESENT POPULAR OPINION.

But the thought of this present period is neither so comprehensive nor so exclusive as it ought to be. In the minds of such men as Buckle, Lecky, and Mill, the antitheological bias has been either displayed or poorly concealed. And this accounts for the treating of the whole subject of Toleration by them as if it were only a matter of religious scruples and religious differences. The monster of Intolerance has been, all along the ages, a purely religious monster in their eyes. They will not assume any other reason for its being than religion, or superstition, or as Mr. Lecky expresses it, "exclusive salvation." Whereas, the want of comprehension is chargeable against this modern school, in that it takes no account either of Science or Law, of logical method, or of civil government in its view of toleration. Confining its regard to the turgid and often bloody stream of persecution for conscience' sake, that runs through the history of the human race, this school of writers has altogether diverted the public mind from the large region of Truth and Order into the narrow channel of religious intoler-True, the prominence occupied in history by this particular field of intolerance only goes to prove how very close religion lies to the human heart; but there are certain other fields where, without bloodshed or persecution, the issues of tolerance and intolerance are continually joined. Let it be remembered, that if persecution has often attended religious intolerance, it has done so not necessarily. It is not a necessary attendant on any kind of intolerance, religious, scientific, social, or judicial. Least of all, should persecution be confused with intolerance, as if the two were much the same thing. But this is exactly the way of thinking into which the public of this generation has been led by our modern

critics of history and society.

Such a hue and cry has been raised against persecution that intolerance has become "an accursed thing" with it. Just as tolerance on the other hand has been lauded and sublimated into a species of Divine composure or indifference. By such teaching our critics have done violence to some of the first principles of social science and to the plainest distinction between terms.

Therefore, it becomes part of our purpose in this essay to distinguish essentially between tolerance and indifference, and in so doing to establish the legitimacy of a pure *Intolerance*, wherever Truth is to be held, or Right

maintained, or Order preserved.

#### THE RATIONALE OF TOLERANCE AND INTOLERANCE.

From the careless but popular use of the words tolerance and intolerance, into which many have been betrayed by the writers above mentioned, it will be necessary to work back by some steps and definitions into a

more exact use of the terms.

It need hardly be said, that while tolerance is predicated of a mental or moral state, while, for example, we say "the tolerance of the man's gentle disposition was amazing;" toleration is predicated of an outward act, a piece of conduct, thus, "the offence was received with customary toleration." Yet it is not always easy to maintain this distinction, since there is no negative to toleration, as there is to tolerance. Intolerance has to do duty for both the subjective state and the objective act. We have said that intolerance has been too much confused with persecution and associated with religion: it is so. A man may be intolerant without ever persecuting another. A man may be intolerant without being at all religious. He may be only rational. To borrow an illustration from a writer: "Three persons witness an

event and immediately afterwards describe it on oath. One of the three describes it in a manner which the other two know to be false, unless their own senses or memory have failed. They naturally conclude that the third man is perjured. This is rational intolerance. If they thought a mistake possible, they would tolerate. Conversely, if the two witnesses do not regard the third as untruthful, they admit that they themselves may be mistaken. This is rational tolerance."

Again, it may be said that *toleration* is of two kinds, rational and irrational. The former proceeds from a sufferance which suggests disapproval while tolerating, and is therefore rational because limited, conditioned, provisional. The latter proceeds from acquiescence without reservation, which suggests indifference while tolerating, and is, therefore, irrational, because absolute. The former is rational, because it gives consent with qualification, or even under protest. The latter is irrational, because it gives consent without qualification or protest, thereby changing its whole nature and becoming something else, viz., the consent of indifference.

But it is only idiots who are indifferent to right and wrong, good and evil, truth and error, beauty and deformity. Average human beings cannot be indifferent towards these things. They must take sides with or among them; and when they tolerate some, it is of necessity that they register, in the same act, their intolerance of others. For a rational intolerance is nothing more than the reservation which accompanies a rational tolerance. Thus, we may hold, that intolerance can be rational; that it comes from honorable pedigree; that it is the very correlative of rational tolerance itself.

But can *this* intolerance be the "monster" of religious history? You only fail to recognise him, because he is now divested of his war-paint and eagle feathers. History, unfortunately, describes him as continually thirsting for blood, persecuting with fire and sword, desolating homes and countries. History, unfortunately, has a right to do so; but now that some little reflection enters into the question, must it not be conceded that all

this costuming and posturing of the historical monster belong to the *abuse* of intolerance? It has no warrant from the analysis just made, from the place of the general principle of intolerance in human nature. It is contradicted by the assertion of the *use* of intolerance, of the dignity and responsibility of the *trust* of intolerance. That religion first engaged the services of intolerance and persecuted with it may be history, but it should never divert us from these facts of Philosophy, viz.: that this principle of intolerance is implanted in human nature for wise and good purposes; that it is older and deeper than the principle of tolerance; and that its connection with Religion should only serve to remind us of the supreme importance of the two things so connected.

#### TOLERANCE REPUDIATED BY SCIENCE.

The partisans of tolerance would do well to inquire how it happens that their favorite, so much demanded (they say) by Religion, should be so utterly repudiated by Science, as it surely is to-day? It is because the methods of Science are, of all things in the world, the least tolerant; because they cannot afford to be indifferent to truth and falsehood. There must be no heresy in Science. The laws of Nature are inexorable: the canons of criticism, historical or evidential, are arbitrary; the rules of Logic are rigorous, and intolerant of fallacies. "Where Science begins Liberty ends. . . . Much nonsense about intellectual liberty might have been spared, if people would bear in mind the obvious fact, that Free Thought and Science are mutually inconsistent. one supposes the absence of the other."

Professor Virchow, in refusing to admit the speculations and hypotheses of some of his contemporaries, has exhibited more courage and conscience than are commonly found in the Church. In his "Address on the Liberty of Science," Munich, 1878, he speaks as follows:

We may not set down our hypothesis as a certainty, our problem as a dogma; that cannot be permitted. . . . Nothing has been

more injurious to Natural Science, nothing has done more harm to its progress and to its position in the opinion of nations, than premature synthesis.

The principles of Science, as it should be, have been shown with great ability by the late Professor W. Stanley Jevons, to be none other than those of Logic itself. When submitted to logical tests of certainty, some of the most precise and beautiful demonstrations of Mathematical Science are proved not only to be incapable of absolute verification, but even to involve some apparent logical contradiction. At its best, the certainty of Mathematics is only the same as that which attaches to all correct logical deduction. And, as to the much vaunted inductions of Science, this author lays down the rule that, unless they are based on complete knowledge of all the agents existing throughout the universe, and also on assurance of continued uniformity, they will be no more than arguments of greater or less probability. ("Principles of Science," W. Stanley Jevons, Professor, University College, London, 1878, pp. 767, 235, 239.)

The jealousy with which the great body of the medical profession defends itself from the heresies of "quackery" more or less respectable, is well known. Medical Ethics, as they are called, rest upon a rational and high-toned intolerance. • To be tolerant of an "advertising" practitioner, or of a patent-medicine, secretly compounded, is to be skeptical of Science and recreant to her principles. The ethical "Code" of the Medical Faculty has no place in it for toleration.

#### TOLERANCE CHECKED BY SOCIAL INTOLERANCE.

But the field of Science is not the only one passed over by the zealots of toleration. Differences of right and wrong, in principle, or propriety, or even taste, must occur among men, and be disputed also on the field of social life. Society is tolerant of some customs and highly intolerant of others. The phenomena of

unanimity or conventionality are well worthy of study. For example, Fashion is one of the most intolerant things in the world. Dr. Lieber remarks suggestively: "Though the head may wear a crown, Fashion puts her shears to its hair, if she has a mind to do so. Far more powerful than International Law, which only rules between nations, she brings innumerable nations into one fold, and that frequently the fold of acknowledged folly." ("Civil Liberty and Self-Government," C. XXXV.)

The same power is expressed in what may be called the social ban. A writer of eminence assures us, that this is more powerful in England than in Russia or in Germany. "Even where it does not employ the arm of the law, society knows how to use that softer but more crushing pressure, that calm, but Gorgon-like look, which only the bravest and stoutest hearts know how to resist." (Max Müller on "Freedom.") Tenny-

son calls it the "stony British stare."

## THE WITNESS OF GOVERNMENT ON THIS SUBJECT.

It is, however, to a higher social plane that we may now turn, to study the conflict of right or wrong, undisturbed by the variations of human caprice or prejudice. This is the region of Law and Order, in one word, of Government. In this quarter our modern critics have scarcely taken a look for tolerance and intolerance apart from Religion. It is not of laws, ordinances, statutes, restrictive or regulative, in the books, but inoperative in the lives of men: it is rather of law, singular, respectable and respected, written or unwritten, that we would now take some guidance. It is evident that statutes command not the course of all conduct, mingle not with the motives of life, sympathise not with the deeper feelings of the heart.

How small, of all that human hearts endure That part that laws or kings can cause or cure! But laws are formed around an *ideal* of law and government that itself is a grand inspiration. And, since there must be some fixed principles of government in general, that will always remain the same, whether in State or Church, or in Church and State combined—since there must be some analysis and proportion discoverable in the composition of government, to instruct and profit us in religious as well as secular affairs, we have a right to ask, What is the witness of

government to this subject of toleration?

With no particular reference, then, to Religion, let it be said, that certain demands of Order necessitate government; that certain demands of government necessitate means of administration; that among these means are laws for instruction of all the subjects, and sanctions for protection of the obedient from the disobedient subjects. Laws might as well be without an executive agent, as without the sanctions that make them obligatory. It will not do to have them esteemed to be merely instructive or advisory: they must be obligatory in order to be protective; and to be protective, they must bring force of some kind, physical or moral, to defend the obedient from the disobedient. "It is in idea essential to a reverence for truth (as of order also) to believe in its capacity for selfdefence." What is due to truth in the abstract is due both to truth and order in the social sphere.

The obedient subject knows how to find his welfare in the welfare of all, and is willing to have his liberty qualified to secure that end. The disobedient subject, seeking his welfare in self-assertion, misses it altogether in falling under the displeasure of the many. And that liberty, which he might have spontaneously allowed to be qualified, is just forcibly qualified for him by the authority of the government. The forcible qualifying of personal liberty is the most disturbing element possi-

ble to the human judgment.

No thief who felt the halter draw E'er spoke in favor of the law. In other words, government cannot tolerate the offender, for his offence is that he does not tolerate the government. To tolerate the disobedient subject would be to treat all others with something worse than intolerance—with betrayal of their most sacred trusts. Because government *is* a trust to the officers from the people: it is besides, when accepted, a pledge—the

highest possible pledge—of protection.

Bishop Jeremy Taylor well expresses this in saying of weak concession: "It takes away the obliging part of the law, and makes that the thing enacted shall not be enjoined but tolerated only: it destroys unity and uniformity, which to preserve was the very end of such laws of discipline: 'it bends the rule to the thing which is to be ruled, so that the law obeys the subject, not the subject the law: it is to make a law for particulars, not upon general reason and congruity, against the prudence and design of all laws in the world." ("Lib. of Proph.," C. XVII.) And a modern writer draws out of the intolerance of law its highest dignity, viz., its benevolence. "For, in the enforcement of the sanctions of law, there is an escape from the immensely great suffering of all, by inflicting deserved suffering upon the evilly disposed, who, in this case, endure even for themselves, doubtless only a part of what they must suffer, if there were no such enforcement, and hence no government."

#### GOVERNMENT AND CONSCIENCE.

But the problem is complicated by the introduction of conscience. This we may readily allow, without admitting all the exaggerations of the difficulty. It is asked, Does the province of government extend to the conscience of the individual subject? We answer, Certainly, it extends to the conscience; but how far it should coerce it, is another question. Even Jeremy Taylor assures us that "a law that is made without intention to bind the conscience is no law at all." (Duct. Dubit., B. III., C. 1: 14.) And he asks else-

where, What does the plea of conscience avail? Cannot both sides plead conscience? "If one man's conscience can be the measure of another man's action, why shall not the prince's conscience be the subject's measure?"

To the final impregnability of conscience there is no stronger testimony than Dr. South's: "But what man alive, what judge or justice, what Minos or Rhadamanthus, can carry his inspection into the conscience? What evidence, what witness, or rack, can extort a discovery of that which the conscience is resolved to conceal and keep within itself? . . . . Conscience is neither scorched with the fire nor pricked with the sword; it feels nothing under a Deity, nothing but the stings and insinuations of an angry, sin-revenging Omnipotence." (Serm. LIII.)

In the question of coercing the conscience, a good deal depends on what kind of a conscience it is. Who would not consent to the coercion of a Thug's conscience? Who would not incline to coerce, if more gently, the Mormon conscience, or the Nihilist, or the Communist conscience? It is at this point we feel the power and penetration of Archbishop Whately's remark: "The plea of conscience would tend to the subversion of the whole fabric of society." It is in such cases, also, that we see the absurdity of the policy of laissez-faire, espoused by J. Stuart Mill, after William Humboldt, that "human development in its richest variety" should be perfectly unrestricted; for such a principle would allow the felon to have his doctrine as well as the magistrate.

Then there is a gainsaying conscience that seems to be intent on doubting the authority under which it has been placed, rather than the opinion which it has formed for itself at variance with that authority. Such a conscience depends less upon reason than upon constitutional bent and temperament. A certain proportion of people (heady and high-minded) are born with greater fondness and aptitude for rule than others; and it will always be harder for such to obey. But a purely gain-

saying conscience can never command the respect that

is felt for a weak or a doubting one.\*

There was a tender conscience in the days of those great casuists, Bishops Sanderson and Taylor, that was not plainly the blessed fruit of the Holy Ghost, that rather drew around it so much that was squeamish, as to invite their tender ridicule. The former likens its action to straining at a gnat and swallowing a camel, and says: "It is with it as with other tender things very subject to receive harm, and soon put out of order." (Pref. Serm.) The latter compares its tenderness to the "soreness of a bile"-tenderness diseased, abused, mispersuaded, that drives them away from the sight of a surplice affrighted as a bird with a man of clouts, "but their consciences can suffer them to despise government." (Lib. Proph. Ep. Ded.) Again: "If you make a law of order, and in the sanction put a clause of favor for tender consciences, do not you invite every subject to disobedience by impunity, and teach him how to make his own excuse?" (1b.)

It is the *doubting* conscience which has always brought up the most cases for determination. The man may feel himself to be in a state of painful suspense and hesitation: he fain would assent, but cannot, so equally poised are the balances. As an honest doubter, he must have thoroughly informed himself—not alone from the stand of an individual detached, but from the larger ground of society, in whose public welfare alone his private welfare will reach its highest attainment. After all this has been done, and the man sees no way out of doubt but to do violence to his conscience—then, plainly, he must abide by that conscience, for, in such a case, it is the highest authority for that man. But we all know that such a case may be called exceptional. Either the man will fail thoroughly to inform himself, or, what

\* "Nothing easier or more common than for men to pretend conscience when they are not minded to obey." (Bishop Sanderson, Preface to Sermons.)

<sup>&</sup>quot;Men pretend conscience against obedience expressly against S. Paul's doctrine teaching us to 'obey for conscience' sake;' but to disobey for conscience' sake in a thing indifferent is never to be found in the books of our Religion," (Bishop J. Taylor, Lib. P. Ep. Ded.)

is most common, the man of a doubting conscience is a man enlisted "under authority." Here, then, in this the most common case, the conscience is under bonds to Order as well as to Truth. And, while the scales of Truth may be so evenly balanced as to give pause, it is the claim of Order which should prevail, and decide the question, by throwing its weight into the decision.\*

But the relations between government and conscience have been sketched by an American writer with so much force, brevity, and moderation, that opportunity will be taken to extract from the work at some length. After laying down some well-settled principles of governmental respect for the conscience of subjects, he proceeds as follows:

Third.—In case of a conflict between the government and the conscience of a subject, an equivalent in place of the specific obedience may be required; but the government must not punish the individual as if guilty of a crime. . . .

Fourth.—If still the conscience of the subject forbids him rendering any equivalent, the government, treating the subject with respect for his regard to right, may take by force the equivalent, even increased, because of the increased expense in securing it.

Fifth.—In case the subject claims, not as a duty but as a right, in his conscience, that which government forbids as a vice, the government is under no obligation to regard his claim. . . . Government is not bound by the judgment of the subject, but the subject is bound by the judgment of government. For the subject to be indifferent toward the government, deadens his conscience, represses his reason, checks his spirit of broad benevolence, and perverts his character into that of narrow selfishness. He must make the duty of obedience an appreciated fact in the conscience, awakening its impulse toward right. . . . In case of a requirement of government in violation of his conscience, the subject may not denounce the government, and in the spirit of enmity refuse obedience. . . . He ought to hold in check for a time his own judgment and conscience, while he recasts the matter anew, in reason, to see more clearly wherein the error lies.

<sup>\* &</sup>quot;But you will yet say that, in doubtful cases, the safer part is to be chosen.

So should I think too, if thou wert left merely to thine own liberty. But thou dost not consider how thou art caught in thine own net.

If authority command thee to kneel, which, whether it be lawful for thee to do or not, thou doubtest, it cannot choose but thou must needs doubt also, whether thou mayest lawfully disobey or not. Now then apply here thine own rule, in dubiis pars tutior, and see what will come of it. Judge, since thou canst not but doubt in both cases, whether it be not the safer of the two to obey doubtingly than to disobey doubtingly." (Sanderson, Serm. Ad Clerum IV. 30.)

Then, if, finally, his conscience still forbids his yielding to the requirement of government, the conscience must be obeyed. . . Yet this should be done in no violent inimical spirit, but with a calm and quiet submission to what the government may require as an equivalent, or so-called punishment." The right of revolution is, of course, justified by the writer, for therein the individual disappears in a great public movement. ("Archology; or, The Science of Government," by S. V. Blakeslee, Oakland, Cal.; 1876.)

Before leaving this large division of the general subject, it would be well to glance at the progress of restrictive, or coercive legislation in matters about which men cannot be indifferent.

The right and duty of Censure, in connection with a free press, and the responsibility of public men in the repressing and publishing of their opinions is a case in point. It was in recent times (1803) that Sir James Mackintosh made memorable the defence of Jean Peltier for using the press of England for alleged libel on the First Consul of France. But, yet, to estimate him in the present day of fearless political satire and mirth-provoking cartoons, how scrupulous the great lawyer appears to have been, not to insist on too great freedom! The duty of censure stands forth with all the greater relief and effect, from the fact that he brings it out on the background of liberty, makes it to be a duty reciprocal to a right. Acknowledging the impossibility of defining the limits of libel and innocent discussion, he yet contends earnestly for the removal of everything which may deter men from rendering one of the most important services to their country, from the discharge of one of "the most sacred duties which they owe to mankind." He continues:

To inform the public on the conduct of those who administer public affairs requires courage and conscious security. It is always an invidious and obnoxious office, but it is often the most necessary of all public duties. If it is not done boldly, it cannot be done effectually; and it is not from writers trembling under the uplifted scourge, that we are to hope for it.

Since that date, early in the century, and particularly since the year 1832, legislation in England has made

strides in toleration. "One of the few remaining restrictions on religious freedom is the principle acted on in several recent cases, that a contract may be broken, if its object is to facilitate the expression of irreligious opinions; e.g., a contract to let a hall for a lecture advocating atheistic principles." ("Encycl. Brit.," ninth ed.,

Art. "Government.")

But, on the other hand, the instincts of the governed will not allow toleration to run away with protection. For, what with the rapid development of educational, industrial, sanitary, and commercial wants in society; what with the necessity for greater restraint in matters of travel or common-carrying, preparation, or adulteration of food, waste of forests, consumption of game and fish, there has been a slow but steady advance of the principle of "interference" of the State with

private liberty.

The State refuses to tolerate ignorance, and compels the parent to educate the child. The State refuses to tolerate the hardships of factory life, and by a long series of Factory Acts extends protection over women and children—over their health, safety, work-hours, meal-times, holidays, education, accidents, etc., etc. The regulation of dangerous employments has been assumed by the State: inspectors pry into the secrets of explosives, by order of the Government; into the composition of the dairyman's milk and the publican's gin. After regulating for themselves, during whole centuries past, the practice and courtesy of their callings, the lawyers, physicians, school-teachers, and brokers, are now found to be invoking the aid of Government to lend force and authority to their own voluntary associations. must be an instinct seeking protection. Whatever it may be, certainly, adult manhood finds it cannot manage its own private affairs without some of that intolerant power which the government is capable of lending it.

And, as to moral reforms, the State asserts its conscience with no respect whatever to the subject's conscience, such as it may be. The gamester, the rumseller, the theatrical manager, all think they have

consciences, but the State refuses to tolerate them. Recently one of the largest gaming resorts in Europe, Homburg, has been closed by the Government; and the days of Monte Carlo, at Monaco, are already numbered. Lotteries are made illegal, liquor-selling is restrained both by license and by Sunday-laws: "the grip of the Lord Chamberlain over the London theatres is tightened." And the curious feature of all this protective legislation, in these liberal days, remains to be mentioned. It is that "while this kind of legislation, under existing social arrangements, fails to affect the well-to-do classes, and presses chiefly on the comparatively poor, it is becoming more and more identified with the popular party in politics, and gathers strength with every addition to the popular element in government." ("Encyc. Britannica," ninth ed., Art. "Government.")

THE SCOPE AND LIMITS OF TOLERATION IN HOLY SCRIPT-URES.

It now remains, that the Scriptural argument should be brought forward, in elucidation of our theme. If toleration, as we have seen, is a thing repudiated in the tests of Science and in the canons of Criticism, if it is a thing very carefully handled, checked, and balanced, in Society and Government, what may we

look for concerning it in the Oracles of GoD?

Evidently, there are intrinsic differences in the case, which would, on a priori grounds, lead us to expect what we do find. Thus, if truth observed or discovered, lays upon Science the duty of applying her severely exclusive methods; if truth, the truth of opinion or principle, preferred and maintained, lays upon men in social or public life the obligation of a greatly limited toleration; then should truth, revealed, Christian, truth, possess the essential capacity of self-defence. Her method must be supremely, in order to be sufficiently exclusive. The scope and dignity of Christian truth are both beyond and above the discoveries of

men, the social standards of men, the laws and government of men. As it is given of God, this truth concerns the invisible as well as the visible universe, eternity as well as time, the heavenly as well as the earthly home and city: it reveals the mind of God, the depths of Satan, the dark corners of the human heart. It cannot be suspected of compromise or indifference. It must be intolerance itself, the intolerance of all error and all evil.

And what do we find? From the beginning of Holy Writ, where we read of that "flaming sword which turned every way, to keep the way of the tree of life," to the ending of the Revelation, where the warning against adding-to or taking-from the words of the Book, tells us of something final, signed, sealed, and delivered, there is absolute conformity with the highest requisitions of Divine Order, truth, and love, as prescribed in the Scriptures themselves. Of Creation's Order, this is the warrant, "God saw that it was good." Of the Word of Truth revealed from heaven, this is the testimony, "Thus saith the Lord." Of the

law of Love, this is the authority of the Son of God, "A new commandment I give unto you, that ye love one another: as I have loved you, that ye also love one another."

Now the New Testament develops this latest law of Love only in one way, viz., simultaneously with the law of Divine Truth and that of Divine Order. The disciples were taught to believe as reconciled children in the Fatherhood of God, to realise the brotherhood of men in Christ, to live in the communion of the Holy Spirit, in the membership and orderly government of the Church. They were not to favor one and neglect another of these things, lest the proportion of the Faith should be distorted. Here, then, we may behold, no pulpy, tasteless mash of tender sentiment, but indeed the very vigor and "confidence of a certain Faith," imparted by uncompromising truth, to be preserved by a firm discipline in the organised Church, and only to be moderated by love for the brethren.

Our purpose in appealing to the Scriptural record is not to go over again, in the train of commonplace, all the latitudes and platitudes of the subject. congratulation of the age upon the progress it assumes it has made in the matter of toleration is almost as comical as it is serious.

The introduction of the Scriptural argument is rather to draw out and establish certain fixed principles in the premises, principles of a true, Christian Intolerance. These, if accepted, will supply a real want. For convenience, let there be several heads of classification and remark, graduating and shaping the doctrine, from the mildest to the severest form of Intolerance. It may be needless to add that our references are wholly to the New Testament.

### THE SCALE OF CHRISTIAN INTOLERANCE.

1. Disapprobation. The precepts and examples of this primary form are so abundant and their reason so obvious, that mere references will be sufficient for illustration. These may be found in S. Matt. vi. 16;

vi. 12; S. Mark viii. 15; S. John iv. 22.

2. Remonstrance. This extension of displeasure is warranted and beautifully guarded by our LORD's special instruction: "If thy brother shall trespass against thee, go and tell him his fault between thee and him alone: if he shall hear thee, thou hast gained thy brother. if he will not hear thee, then take with thee one or two more," etc. (S. Matt. xviii. 15, 16.) So, when struck at his trial, Jesus answered, "If I have spoken evil, bear witness of the evil, but if well, why smitest thou me?" (S. John xviii. 23.) So, S. Paul remonstrates against ill-treatment at Philippi, requiring the magistrates to come and fetch him and his companion out of prison. (Acts xvi. 37.)

3. Admonition. The rule given in the Gospel for remonstrance seems to be intended for further applications, as when the brother, after remonstrance alone, then in

the presence of two or three witnesses, yet refuses to hear, it is added by the LORD: "And, if he shall neglect to hear them, tell it unto the Church." The passage from one of these stages to the other appears to be for such a purpose as may be called "admonition," for the contingency is suggested of the offender's being willing to hear the Church, in its more formal expression of displeasure. That this ecclesiastical, or official, sense should attach to the admonition is plain from S. Paul's use of the word in two places, viz.: "If any man obey not our word by this epistle, note that man . . . yet count him not as an enemy, but admonish him as a brother." (2 Thess. iii. 14, 15.) And, more particularly, in writing to S. Titus, left in Crete to set in order the things that are wanting, S. Paul says: "A man that is an heretick, after the first and second admonition, reject." (Titus iii. 10.) From this, it appears that there were two formal and official admonitions.

4. Rebuke or Censure. The word "rebuke" occurs first in the Gospel, though rather in a private than in a public The words of Christ are: "If thy brother trespass against thee, rebuke him, and if he repent, forgive him." (S. Luke xvii. 3.) The Master's own conduct was, on two occasions, in fearless rebuke of the intruders upon the holy precincts of the Temple, to make a scourge of small cords and drive them out, saying: "Take these things hence: make not my FATHER's house an house of merchandise." And again: "It is written, My house shall be called a house of prayer, but ye have made it a den of thieves." (S. John ii. 13-16; S. Matt. xxi. 12, 13.) In the Acts of the Apostles, we see S. Peter at Samaria, sparing not to rebuke Simon Magus in well-known words of severity. (Acts viii. 20-23.) At Antioch, S. Paul rebukes S. Peter for compromising the truth of the Gospel. (Gal. ii. 11-14.) And the same Apostle directs his subordinate, S. Titus, how to treat "the many unruly and vain talkers" in Crete, by rebuking them "sharply, that they may be sound in the faith." (Titus i. 13.) See also I Tim. v. 20, 2 Tim. iv.

2-4.

5. Denunciation. The Son of God shows that it is not enough that truth be preached; falsehood must be denounced. If he preaches caution in rash judgment of others, he scruples not to denounce as "dogs" and "swine," those who were unworthy. "Give not that which is holy unto the dogs; neither cast ye your pearls before swine, lest they trample them under their feet and turn again and rend you." (S. Matt. vii. 6.) The offending of one of those little ones that believe in Him was to be followed by the hanging of a mill-stone about the offender's neck, and by drowning in the depths of

the sea.\* (S. Matt. xviii. 6.)

But nowhere in literature, sacred or profane, can language be found to excel, if to equal, that denunciatory passage in S. Matt. xxiii., where our LORD, repeating seven times: "Woe unto you, Scribes and Pharisees, hypocrites," rises to the climax: "Ye serpents, ye generation of vipers, how can ye escape the damnation of hell?" The first martyr, S. Stephen, in his appeal to the lews just before they stoned him, rises to the most violent denunciation.† (Acts vii.) While S. Paul's language to Elymas, the Sorcerer, who "withstood them. seeking to turn away the deputy from the faith" (Acts, xiii.), is worthily distinguished for its direct, penetrating, electric power. In the Epistles, there is a memorable burst of keen denunciation from the pen of S. Paul; when writing to the Galatians, he no sooner greets them, than he begins: "I marvel that ye are so soon removed from him that called you into the grace of Christ unto another gospel. But though we, or an angel from heaven, preach any other gospel unto you than that which we have preached unto you, let him be accursed! As we said before, so say I now again, If any man preach any other gospel unto you, than that ye have re-

+ Referring to this violence in connection with the prayer at v. 60, S. Augus-

tine says finely "Lingua clamat, cor amat."

<sup>\*</sup>Stier comments so beautifully on this passage, in his Words of Jesus, that we give an extract: "O thou tender love, how sharply dost thou speak against the offending of thy beloved little ones; and yet how is thy holy anger against those who are destitute of love, itself nothing but burning love, which would ward off sin and its condemnation." Compare also S. Luke x. II-16.

ceived, let him be accursed." (Gal. i. 6-9.) S. John denounces as "liars" those that deny that Jesus is the Christ (I John ii. 22), and elsewhere he teaches: "If there come any unto you and bring not this doctrine (of Christ) receive him not into (your) house, neither bid

him Gop-speed." (2 John, 10.)

6. Separation. Something more than the spoken displeasure of the faithful found expression among the first Christians. Admonition may have been more or less authoritative, rebuke or censure more or less public, denunciation more or less violent; but when a line of separation came to be drawn, the discipline of the Church had advanced from word to action. That such a line was drawn, S. Paul gives us plainly to understand in at least five places in his Epistles. In his Second Epistle to the Thessalonians (iii. 6, 14), he writes with marked authority: "Now we command you, brethren, in the name of our LORD JESUS CHRIST, that ye withdraw yourselves from every brother that walketh disorderly, and not after the tradition which he received of us." "And, if any man obey not our word by this epistle, note that man, and have no company with him that he may be ashamed." In I Cor. v. 11, S. Paul directs: "But now I have written unto you, not to keep company, if any man that is called a brother be a fornicator, or covetous, or an idolater, or a railer, or a drunkard, or an extortioner; with such an one, no, not to eat." At Rom. xvi. 17, we read: "Now I beseech you, brethren, mark them which cause divisions and offences contrary to the doctrine which ve have learned, and avoid them." Finally, in 1 Tim. vi. 3, S. Paul writes: "If any man teach otherwise and consent not to wholesome words, even the words of our LORD JESUS CHRIST, and to the doctrine which is according to godliness, he is proud . . . from such withdraw thyself."

It should be observed and remembered that this discipline of avoidance, separation, or withdrawal, is to be administered for offences both moral and doctrinal.

7. Judgment of Exclusion.—We have now reached the last head of this classification. It is a head which

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seems to cover the case of the "heretic" rejected "after the first and second admonition" (Titus iii. 10), the case of Hymenæus and Alexander "delivered unto Satan" (1 Tim. i. 20), and the case of the incestuous man at Corinth (1 Cor. v. 5), also delivered unto Satan. It is evident that S. Paul, in all these cases, does but carry out the rule given by CHRIST in S. Matt. xviii. 15-17. Thus the two admonitions given to the "heretic" correspond perfectly with the private monition of S. Matt. xviii. 15, and the reprehension before witnesses of S. Matt. xviii. 16. And it is most likely that rejecting the heretic, and delivering unto Satan those other persons above mentioned, correspond with our LORD's meaning, when He says of the offender who neglects to hear the Church, "Let him be unto thee as an heathen man and a publican." (S. Matt. xviii. 17.)

But an appeal to the passages I Cor. v. 3-5 and 2 Cor. xiii. 1, 2, 10, will prove that S. Paul did look back to his authority from Christ; for, in the former passage, he says: "I verily, as absent in body, but present in spirit, have judged already . . . in the name of our LORD JESUS CHRIST, when ye are gathered together, and my spirit, with the power of our LORD JESUS CHRIST, to deliver such an one to Satan." And, in the latter, he even quotes from the phrase in the Gospel, "In the mouth of two or three witnesses shall every word be established;" gives notice of his coming to hold a regular judicial inquiry into the conduct of offenders—of his intention not to spare the third time, but to "use sharpness according to the power which the LORD hath given me to edification and not to destruction." It must, therefore, be concluded that the practice of the Apostolic Church was the true development of the Gospel rule as given in its germinal type and vigor by CHRIST himself.

While it is plain, then, from Holy Scripture, that we have not any warrant for using the civil magistrate to enforce doctrine or ecclesiastical order by persecuting, with fire and sword, or even with fine and imprisonment, it is also plain that we have warrant for putting into

force, under the officers of the Church, a clear, strong, positive discipline. And it is a system characterised primarily, not by tolerance, but by intolerance moderated by tolerance. This disciplinary system has been presented with some care in the form of a classification of graduated procedure, more or less official; a sort of scaling of ecclesiastical displeasure, indignation, and wrath. It is offered in the hope that some one else. more expert in law and discipline, may at least use it as the basis of a few well-digested and well-worded canons of Christian intolerance. No canons are more wanted to-day in the Church of Christ than these for the preserving of revealed truth and for the protecting of the obedient many against the disobedient few. But enforcement is more needed than legislation.

#### THE OUTLOOK IN ENGLAND.

The present working of the discipline of the Church is far from being satisfactory. In England the very legislation of the Church is hampered with that of the State, and the administration of the laws still more through the Church courts. "Dead-letter" has been accumulating for centuries, and the magistrate is becoming more and more of an incubus. Men who study the situation there, like J. Fitzjames Stephen and Leslie Stephen, confess the impotency of the laws and cry for relief. The former, writing in 1875 on "The Laws of England as to the Expression of Religious Opinions" (Contemporary Review), shows the bearing of the laws. on both laity and clergy, and the utter impossibility of enforcing them, if indeed many of them were worthy to be enforced in their harshness and injustice. His advice is Repeal, "on the principle on which it is prudent to unload a blunderbuss too rusty to be fired." Quite recently the same writer, now Mr. Justice Stephen, in an article, in The Fortnightly Review, on "Blasphemy and Blasphemous Libel," concludes, on grounds of right and expediency, that it should be enacted that no

one, except beneficed clergymen of the Church of England, should be liable to ecclesiastical censures for "Atheism, blasphemy, heresy, schism, or any other

opinion."

The latter writer, Leslie Stephen, sees the impossibility of the "Suppression of Poisonous Opinions" by any other means than a rigorous inquisition, which, of course, he does not favor. But, at the same time, he sees the danger and occasional absurdity attending some consequences of the toleration, now so popular. Speaking very generally, he says:

Certainly, the principle of toleration cannot lay down a distinct external criterion of right and wrong applicable at once to all concrete cases. No test, by the nature of the case, can be given which will decide at once whether a particular rule does or does not transgress the principle of toleration.

And, in more specific cases of *doctrine*, he points out that, while broad differences of truth and error may be acted on with success, delicate and difficult distinctions only create easy evasion of doctrinal tests. With much truth he remarks:

You may crush a downright Tom Paine, but how are you to restrain your wily latitudinarian, who will swallow any formula as if he liked it. (Nineteenth Century, April, 1883.)

As to the English Church Courts, the decisions of the last thirty years have been so much at variance among themselves; and now the very validity of their constitution has been so questioned in the conclusions of Canon Stubbs's exhaustive Report, that nothing can be hoped for from that quarter.

Since the Pan-Anglican Synod of 1867, when one hundred and fifty bishops confirmed the sentence pronounced on Dr. Colenso for heretical opinions, there has been no strong or generally accepted action of intoler-

ance in the English Church.

#### THE OUTLOOK IN AMERICA.

With us in America, the outlook ought to be less complicated than in England; but is it any clearer? Here the Church has it all to herself, with no State to interfere with her spontaneous action, with no magistrate to make her odious before the people, and with no stretching of undue authority over her laity. But where is the vigorous discipline of the Apostolic Church? Where are the signs of the Church's understanding her duty and discharging it, under these much simplified conditions?

A case occurs in the West, where, evidently, "the public use of unauthorised manuals" has given offence to the Diocese and the Diocesan. In the Journal of the next Convention, he treats the case with six pages of general principles, good advice, and—no names. The "duty of representative conformity" is urged upon the unknown offender. "He can discharge his obligations only as he implicitly obeys the law under which he has voluntarily suffered himself to be placed. But disobedience grows to the blackness of a deadlier sin, when we reflect that it not only breaks law, but breaks a law which the man has sworn to keep."\* Strong words! but if they should be unsupported by acts, by even any definiteness of aim or policy, how vain they are!

Another case occurs in the East. The offence, like the former, is too grave for tolerance. Charges are preferred, received, and—"pigeon-holed." From lawlessness to defiance, the passage is not a difficult one. And when at length it seemed right that something should be done to restrain the outlaw, he is very politely requested by his Diocesan to discontinue his public attacks on the Holy Scriptures. Whether anything more than an armed truce can be the result, remains to be seen. In the words of a prominent address at the

<sup>\*</sup> Bishop of Illinois, 1883.

Church Congress in Richmond, we cannot but ask: "Do your punishments punish? Do your penalties deter?"

#### TYPES OF TOLERANCE.

Such a state of things in England and America may be highly satisfactory to a certain class of minds,

Sweet-hearted (ones) whose light blue eyes Are tender over drowning flies,

—a class of "feelers," well described by Dr. Newman in one of his Parochial sermons. "To be kind is their one principle of action. And when they find offence taken at the Church's Creed, they begin to think how they may modify or curtail it, under the same sort of feeling as would lead them to be generous in a money transaction, or to accommodate another at the cost of personal inconvenience." Such men appear to be constitutionally afraid of giving offence; as of the mild Melancthon, it has been said, that rather than give offence to Calvin, in the burning of Servetus, he sided with him.

But another large class of people are they, who actually seem to cultivate indifference, like a plant, on beds of sloth and intellectual indolence. Whether they are like "Gallio who cared for none of these things," or Gallio was never like them, they are satirised by Lord Tennyson in one line. Transfixed on the point of his pen as perfectly as if intended to be a type and specimen,

# This Gama, swamped in lazy tolerance,

has been pinned for preservation. He stands for the class, neither conservative nor progressive in themselves, but purely compliant, from sheer want of energy, of motive and motive power of their own. These, too lazy to think for themselves, become an easy prey to the advanced thinkers of the age, and flock by hundreds as allies to the standards of such leaders as John Stuart

Mill, who strike for "human development in its richest variety." The coalition becomes formidable.

So, between these influences of too much feeling, too little manhood, and too much thinking, the doctrinal atmosphere is very much thickened. Add for ourselves in America some considerable formative influences due to our democratic Christianity—one man's opinion being popularly esteemed to be as good as another's—and it will be seen how far from clear is the prospect.

But the influence of all others most unfavorable to reform is the settled and very prevalent habit of regarding Religion and doctrine as matter of discovery and not of revelation. Men pride themselves on having thought out their Religion, on having made it true by resolution, on having manufactured, as it were, their doctrines and articles of belief. Out of such habit come naturally the opinions, that "Church" is only a name for a sacred debating-society; that Truth itself is but a subjective conclusiveness. In this way, even good Christian people are led to fall into the snare of degrading the cardinal doctrines of our revealed religion to the level of "religious thought" and "religious opinion." And they allow a kind of free-trade and barter of opinions to enter in and corrupt "the Faith once for all delivered to the Seeing how "religious opinions" demand toleration for one another, they wrongly allow that demand to be made in the sacred department of fundamental, Christian dogma, where such demand should only be met with absolute intolerance. In this department, every step in toleration is a step in skepticism.

But even the show of authority on the part of the Church is deprecated by some of her professed friends. A writer in the American Church Review (September, 1883) contributes a thoughtful article on "The Legal Enforcement of Conformity to Doctrine and to Ritual." But in it he assumes, at one place, that the ultimate object of discipline is "to enforce obedience by penal procedure:" at another place, he speaks as if the ultimate object were to enforce conformity by legal penalties; and again, he assumes that there can be no "trial on a

charge of heresy in doctrine or non-conformity in ritual" without exposing the defendant to "the storm of persecution." But all these assumptions are groundless.

The enforcing of obedience, or conformity, is not the ultimate object of Church discipline. The real end is rightly given by Mr. Mill—a Saul among the prophets,—it is the protection of the obedient from the disobedient. For, while he demands that the individual should not be held "accountable to society for his actions in so far as they concern the interests of no person but himself," he yet admits "that for such actions as are prejudicial to the interests of others, the individual is accountable, and may be subjected either to social or legal punishment, if society is of opinion that the one or the other is requisite for its protection." \* Now, if this protection can be secured by other means than the enforcing of the obedience or conformity of the offender, the ultimate object of exercising authority will have been gained.

So, likewise, to recur to Mill's doctrine, if it should be that, by his advice—to speak of no higher authority—we "avoid" the society of the offender, and proceed "to caution others against him, if we think his example or conversation likely to have a pernicious effect on those with whom he associates"—("Liberty," C. IV.)—if these instructions, observed, bring about "protection" (and why may they not, since we have for their wisdom the curious agreement of radical and scriptural authority? then, plainly, the end of government will have been attained, without enforcement of either obedience or conformity. And the question suggests itself, if these instructions are worth the carrying out by any individual, why may they not be carried out by any Bishop of the Church? Fas est ab hoste doceri.

With regard to the last assumption of the writer, let

<sup>\*</sup> The more respectable testimony of Sir James Mackintosh is to the same effect:
"It can hardly be doubted that the highest obligation of a citizen is that of contributing to preserve the community; and that every other political duty, even that of obedience to the magistrates, is derived from and must be subordinate to it."
("Revolution of 1688.")

it be replied, that persecution for religion's sake is, with us, neither very "stormy" nor very frequent. But even if it were so, it is now only "the persecution of the syllogism," as De Maistre oddly remarks, and estimates to be worse than the persecution of racks, stakes, and crosses. If persecution should, at least, be something onerous, without being stormy or cruel, what then? It is "protection," which is the real end of the persecution, such as it is. Racks, stakes, crosses, fines and imprisonments are things of the past, and, with us, gone for ever, but the necessity for protection remains. It is the claim, which the obedient masses make on the government, which has pledged to them protection against the disobedient few, the lawless individuals of society. It is this which justifies the enforcement of our penal canons, and not the procuring of persecution, however miscalled it may be. "Better that the unruly should clamor, than that the regular should groan and all should be undone." And Bishop Taylor says:

If it be false doctrine in any capacity, and doth mischief in any sense, these men must be silenced. ("Whose mouths must be stopped," Titus i. 11.) They must be convinced by sound doctrine and put to silence by spiritual evidence, and restrained by authority ecclesiastic (i.e.), by spiritual censures, according as it seems necessary to him, who is most concerned in the regimen of the Church. For all this, we have precept and precedent apostolic and much reason.

And the little inconvenience that happens to the person injuriously fudged, is abundantly made up in the excellency of the discipline, the goodness of the example, the care of the public, and all those great influences into the manners of men, which derive from such an act so publicly consigned." (Lib. of Proph., Section xv.)

#### ANARCHISTS IN THE CHURCH.

Although the pointing out of "protection" as the ultimate object of government is no new thing, it is astonishing how the fashion of opinion has inclined the public to excuse protest, and fondle the criminal, while forgetting the law-abiding masses of society. The menacing of these latter by anarchists and dynamiters

is, in its nature, only a lawlessness; and yet how promptly the better part of society rallies to its own defence! The mild cleric and the consenting layman thinking it "of no consequence," menace the law-abiding masses of the Church with new inventions of "sweetness and light," or with medieval relics of devotional exercise, and-poor fellows! they are first to be covered with the broad mantle of the Church's charity; they are to be shielded from that impossible "storm of persecution," before a step shall be taken to protect the truth and order they assail, or the law-abiding masses they offend. Whether it be in the State or in the Church, it is all one, this disturbance of "the foundations" in the name of freedom and development, when these have been provided for, and can be attained through law. It is avouía in both cases, and that is the single step preliminary to avapyia. One may imagine how the Rev. Swanly Smoothdown, or his layman, Mr. Toots, would be astonished at a secret visit of fraternal greeting from the "head-centre" of the dynamite clubs. Yet they are all plainly making common cause together.

The cleric takes the law into his hands and proceeds to act out in posture, or to pour into itching ears the latest perversion of the Faith. The layman, who helps to support the cleric, takes another law into his hands and breaks it by practice of fox-hunting on the Day of Rest. The Nihilist, in turn, takes only his choice of the laws to be broken. They sow the wind: he reaps the whirlwind. They choose for their purpose to break one law, here and there.\* He must have all laws abolished and nothing left. But, in the light of Holy Writ there is the principle: "Whosoever shall keep the whole law and yet offend in one (point) he is guilty of

all." (James ii. 10.)

<sup>\*\*\*</sup> So far are they from looking on such men as fit for human society, or to be citizens of a well-ordered commonwealth; since a man of such principles must needs, as oft as he dares do it, despise all their laws and customs; for there is no doubt to be made, that a man who is afraid of nothing but the law, and apprehends nothing after death, will not stand to break through all the laws of his country, either by fraud or force, that so he may satisfy his appetites." (More's "Utopia," B. II.)

#### DISORDER FALSIFYING TRUTH.

The cleric with the gainsaying conscience cannot escape with the plea of the layman, for the cleric has registered vows of subscription in doctrine, and of obedience and allegiance to his superiors in the Ministry of the Church. Of him it is, of all men most expected, that he will follow up his own precepts of sincerity and fair-dealing by the good example of conformity. Of him it is, of all men least expected, that he will "use the opportunity of his ministry under the subscription to the 'doctrine and worship of the Protestant Episcopal Church in the United States,' to transform either or both of these according to his individual conceit or purpose, instead of conforming to them as he has declared he will." (AMERICAN CHURCH REVIEW, June, 1883.)

For, while there may be reasonable difficulty in following out some of the faint lines and mystical distinctions of Truth, there need be none at all in being subordinate and carrying out the obligations of Order. And of the two, will any one say that Order is the second? Was there ever, among guesses at the truth, a better one than this: Order is heaven's first law? "Without Order there is no living in public society, because the want thereof is the mother of confusion. Whereupon division of necessity followeth, and out of division destruction. The whole world consisting of parts so many, so different is by this only thing upheld: he who framed them hath set them in order.'

(Hooker, "Eccles. Pol.," B. viii. 2.)

So, to the cleric of the gainsaying conscience, and to the layman who stands ready to excuse him with a languid tolerance, we would say, Remember the vital connections between Truth and Order. To be scrupulous about the Truth, and to be indifferent as to the Order of the Church, is inconsistency itself.\* The Apostles' doc-

<sup>\* &</sup>quot;Every fringe in an elaborate cope worn without authority is only a distinct and separate act of private judgment; the more elaborate, the less Catholic; the

trine and fellowship went always together. If S. Paul would have us to "speak the truth in love" (Eph. iv. 15), S. John also would have us to "love in the truth." (3 John i.) And taking up the strain, one of the strongest writers of the day has well said: "The love of law is twin-sister to the law of love." We only wish that we could utter, with the same grace and power, another epigram that will be found exactly to the point. It is this: Truth can be falsified by disorder as well as by disproof.

#### RIOT OF THE FREE-RELIGIONISTS.

But, while the Church is hesitating what to do with false doctrine and disobedience, the march of "religious thought" is right onward. The fever of excitement is catching; the procession gathers in going; the emulation to hear or to invent some new thing rises to the degree of fanaticism; the action of the revellers in religious liberty becomes worthy of those at a carnival. It does not help the difficulty to remark, reflectively, "This is an age of intellectual reconstruction, of intense mental activity," etc., etc. Commonplace at such times deserves to be pelted. Hear some of the cries that rise above the mêlée: "It is beginning to be permitted men to preach their own views of truth, unclipped by creeds. The one paramount doctrine of the New Testament is the independence of the individual." The article which contains these sentences is entitled, "Progress of Thought in the Church," and the author is a "clerical celebrity" of Brooklyn. "Fixity of opinion is hardly respectable among scholars," so President Eliot, of Harvard University. "Doctrines of the great Apostle of the Gentiles translated into modern equivalents," so (the Rev.) James Freeman Clarke, of Boston. believe the Word of God recorded in the Bible; we also believe the Word of God recorded in the Book of Mor-

nearer the imitation, the farther from the submission of faith." (Archbishop Manning, "England and Christendom.")

mon, and in all other good books." (Confession of Faith of the Latter Day Saints.) What is all this but the passion, the frensy of uncertainty?

#### CONTEMPORARY INTOLERANCE.

Meanwhile, it would be well, if, glancing around, we discovered how all occasions do inform against us. So necessary a thing is intolerance that even its sworn enemies have to be inconsistent and employ it. Here follow some examples, furnished by the very apostles of liberty and individualism.

John Stuart Mill tells us in his "Autobiography," that his father would never *allow* him to have any convictions about Religion different from his own. And we have seen elsewhere, how, in the name of Liberty, he himself is the champion of compulsory education and co-

operation.

Professor Robertson Smith, as co-editor of the "Encyclopædia Britannica," has been taken to task by a reviewer in the London *Guardian*, as follows:

A very able article on "Land," describing its various tenures in different times and countries, written by Mr. Boyd Kinnear, appears without his initials in consequence, as we learn from a correspondence in the Times, of an excision made by Professor Smith. It seems that Mr. Kinnear's view of the Jewish Land Code differs from that of Professor Smith's, and that, in consequence, this important division of the subject was struck out. . . . Mr. Kinnear naturally objected to assume the responsibility of an essay thus maimed in an important feature; and the article remains accordingly anonymous, a monument of the intolerance sometimes exhibited towards others by writers who claim for themselves the widest possible license of divergence from established views.

Professor Max Müller is our authority for stating that, but a few years ago, when Professor Virchow presumed to criticise the Darwinian hypothesis, he was "howled down" by the German scientists, under the lead of Haeckel, as by Ephesian wolves.

The American Medical Association is constitution-

ally intolerant of persons as well as of conscientious opinions. Its code of ethics requires the protection of the obedient from the disobedient. It hesitates not to censure and expel for false doctrine. The expulsion of eight members of the Massachusetts Medical Society occurred at its annual meeting held in Boston, June 4, 1873; "and of about six hundred members present, only one voted against expulsion." This expulsion was solely for admitting homœopathic practitioners into consultation.

A few years ago the Grand Lodge of Free Masons of New York State resolved, "That we refuse to recognise as Free Masons any person initiated, passed, or raised in a body where the existence of the Supreme

Being is denied or ignored."

Mr. Lecky reminds us of the most significant fact of all, one that is opposed to the greater part of his own reasoning and conclusions. It is, that the French have twice shown that the principle (intolerance) is no necessary outgrowth of the religious mind or dogma, as such. Both in 1790 and in 1870 we see "an intense love of religious liberty and a strong bias towards intolerance continually manifested." ("Rationalism in Europe," vol. ii., p. 73.)

# THE REPROACHES FALLEN UPON THE CHURCH.

But it appears as though neither the riot of the freereligionists, nor the inconsistencies of the radical tolerationists, can avail to rouse the Church to a sense of the very grave issue before her. The effect upon the world around is unmistakeable. The hopes of many are becoming weakened in her actual power to defend the Faith she bears witness to and feels a pride in proclaiming to the world. The reproach of being a dumb and dubious oracle is laid at her doors. There is a modern Pilate, who asks no longer, "What is Truth?" but "What is Certainty?" He goes farther back into the problem of life than the ancient Pilate went. And if the Church has nothing but negative replies to make, if she

only disclaims Infallibility on the one hand, and Individualism on the other, she will deserve to be reproached.\* Her enemies will taunt her with boasting of "the confidence of a certain Faith," and exhibiting little Faith and no confidence at all. But surely there is good standingground of reasonable, if not infallible certainty for us to occupy, and from it we can withstand the "false doctrine" of the day, as well as supplicate the LORD to deliver us from it. Let us do away with the popular fallacy of a hopeless, because eternal antagonism between religious liberty and religious authority. Let us scorn the imputation that we have in our authority only such protection for liberty "as vultures give to lambs, covering and devouring them." Let us show that our authority, far from suppressing liberty, cultivates it, lifts it up, and trains it for a higher life.

It is to be feared, however, that one thing, more than all others, is the cause of malady in our ecclesiastical body. That one thing is lawlessness. It seems to have infected both State and Church like some pestilence in the air. Since it began to be admitted that we were governing too much—look, for example, at the contrast between the English Canons of 1603 and ours of 1883—since the Civil Magistrate has been dismissed from the Church, the man of the gainsaying conscience has entered in and taken his place; and now there can be no exercise of authority or discipline without his con-

sent.

The specialty of rule hath been neglected.

And 'tis this fever that keeps Troy on foot.

The fever whereof all our power is sick.

One of the more recent explorers of savage land has given it as his opinion, that any traveller may journey unharmed from one end of the continent of Africa to the other, if only a band of music be made to precede him.

<sup>\*</sup> Mr. Lecky asks with considerable penetration: "Is the notion of a teaching, authoritative, and inspired Church which does not profess to be infallible, a tenable one?" (Nineteenth Century, 1879.)

The same happy thought must have occurred to the minds of our religious *illuminati*; only they reverse the case, and looking upon America as the "dark continent," they confidently expect to march through the land, wherever they can beat their big "tom-toms" of Tolerance, catch the ear of the multitude, and silence the opposition of the faithful to their strange devices of new "religious thoughts" and medieval devotion. May we not hope, however, that, adding to their Faith virtue, the faithful will prove manful also, and refuse to be terrified by any such beating of "tom-toms"?

#### A DEMAND FOR OPEN REBUKE.

How much might be done if, piercing through the scarecrows of persecution, the pretended storms, the painted fagots, the impossible severities of our Inquisition, the Bishops were to determine to make more

general use of open rebuke!

It is one of those Apostolic practices which have been classified in this essay: it is commanded, and commended also by special reasons attached.\* The rebuke is to be both sharp and open—1st, "that they may be sound in the faith," and 2d, "that others also may fear." Suppose a case where, after all gentler means of remonstrance have been vainly tried, the Bishop, as SS. Timothy and Titus may have done, convokes clergy and laity for the special purpose of rebuking sharply and openly, by name, the offender, as well as his false doctrine or practice.

The Bishop, in so doing, would occupy a position doubly entrenched, on the one side by Apostolic authority (enough with most Churchmen), and, on the other, by the Article XXXIV., speaking as follows: "Whosoever, through his private judgment, willingly and purposely, doth openly break the Traditions and Ceremonies of the Church, which be not repugnant to the Word of

<sup>\* 1</sup> Tim. v. 20; 2 Tim. iv. 2; Titus i, 13, ii. 15.

God, and be ordained and approved by common authority, ought to be rebuked openly (that others may fear to do the like), as he that offendeth against the common Order of the Church, and hurteth the authority of the Magistrate, and woundeth the consciences of the weak brethren."

But the marvel is, that scarcely a trace of this practice of open rebuke is to be found in the Canons of the Protestant Episcopal Church. Under Title II., Of Discipline, citation, offences, presentment, and deference to Diocesan Canons, all prepare the way for trial, and the case for the law's delay. One is at a loss to recognise the Apostolic Church in such an array of circumlocutory proceedings. The nearest approach to the simplicity, directness, and vigor, of the earliest days is to be found under Sec. ii., Can. 22, Title I., Of the Use of the Book of Common Prayer.

If any Bishop have reason to believe, or if complaint, etc., . . . that within his jurisdiction ceremonies or practices not ordained or authorised . . . have been introduced by any Minister, . . . it shall be the duty of such Bishop to summon the Standing Committee as his Council of Advice, and with them to investigate the matter. . . . [If the fact be established] It shall be the duty of the Bishop, by instrument of writing, under his hand, to admonish the Minister so offending to discontinue such practices or ceremonies: and if the Minister shall disregard such admonition, it shall be the duty of the Standing Committee to cause him to be tried for a breach of his Ordination vow.

It appears further, that by *proviso* this Canon is only alternative to that already referred to under Title II.

"Admonition," certainly, comes in after the Apostolic rule, but "open rebuke" is ignored; and the offender is passed on to the notoriously irritating and ineffectual remedy of the ecclesiastical trial. Thus, in attempting too much, the Church fails to effect anything. In reaching after a wrong end, the enforcement of conformity or obedience, she incurs reproach. The trial has, of course, its use and necessity in strongly marked distinctions of issue; but the disuse of the practice of censure or open rebuke, so pledged in Holy Writ to conduce to the

soundness of the Faith, and the deterring of restless men from disturbance, is a fault of our legislation greatly to

be regretted.\*

We plead for the revival of this practice. Let it find a place in the canons of Discipline, where it can be applied to offenders against Holy Scripture, as well as to those against the Book of Common Prayer. Let it be resorted to after "admonition," and before "trial." The fruits of it are wanted in the Church, whether they be seen to *enforce* anything or not. Its effect will be no rigor of interdict, suspension, deprivation, or degradation: it will certainly not subject the offender to any "storm of persecution;" but we have the Divine Word for it—Faith will be thereby made sound, literally, healthy; and fear of offending be promoted by its deterring influence.

### A DEMAND FOR FUNDAMENTALS.

The distinction made by Waterland between errors "tolerable" and errors "intolerable" should never be forgotten. It is a distinction based directly upon Holy Scripture; upon S. Paul's being "all things to all men," in some matters, and his refusing to "give place to them by subjection, no not for an hour," in other matters. What the Church wants to-day is to know some certain rule for determining between fundamentals and nonfundamentals, so as to be intolerant on the one score, and tolerant on the other. As to complete *catalogues* of fundamentals, Waterland and others think the attempting of these quite unnecessary, so long as a good *rule* 

<sup>\*</sup> It is just here, in the want of censure, that the remarks of one of our Bishops, in his last Address to his Diocesan Convention, become so very suggestive Speaking of the legislation of 1874, the Canon 22 of Title I., from which extracts have been made above, he says: "The question therefore remains where it was before. There is in this canon no censure of any specific act of ritual authorised by the English Ecclesiastical Law; but, on the contrary, an emphatic refusal to pass censure upon any specific point, the meaning of the present canon turning entirely upon the phrase, 'adoration of the elements,' which, to the mind of a theologian, touches no doctrine or practice of any body of Christians, except, possibly, the 'Benediction of the Host' in the Roman Church, and the ignorant idolatry of some South American peoples."—Bishop of Tennessee, Journal, 1884.

of fundamentals is established. That which Waterland gives, viz.: "Whatever verities are found to be plainly and directly essential to the doctrine of the Gospel covenant,\* they are fundamental verities; and whatever errors are plainly and directly subversive of it, they are fundamental errors" - may or may not be insisted on as the only possible one. Certainly, much can be said for it; and the usage of nearly all the Christian centuries has stamped that idea of "covenant," or testament, as essential. But of the possibility, and of the prime importance of some rule of fundamentals, there can be no doubt. Again, as to Creeds, Waterland points out that "the Apostles' Creed rather supposes than contains the article of the Divine authority and inspiration of Scripture, and therefore is no complete catalogue or summary of fundamentals." And he adds: "Creeds never were intended as perfect catalogues of fundamentals, but were compiled with other views and for other purposes." But the defect of the Apostles' Creed, at least, is that by it we should have to fraternise with Romanists, Universalists, and Unitarians, for they all accept it. In Waterland's day the whole discussion had for its end the comprehension of the more or less orthodox Protestant bodies, with a view to communion. In our day the problem is simpler: it is entirely within ourselves: it is one of discipline as well as doctrine: it is not now for purpose of comprehension that we should solve it, it is for purpose of rebuke and judgment of exclusion. Will not our Bishops look into this matter? If a rule or declaration of Fundamentals is wanted at this time, and we firmly believe it is, then the sooner our Bishops give it to us the better.

<sup>\*</sup> The Christian Covenant may be considered as containing or including the several articles here following:

<sup>1.</sup> A Founder and principal Covenanter.

<sup>2.</sup> A subject capable of being covenanted with,

<sup>3.</sup> A charter of foundation.

<sup>4.</sup> A Mediator.

<sup>5.</sup> Conditions to be performed.

<sup>6.</sup> Aids or means to enable performance.

<sup>7.</sup> Sanctions also to bind the covenant and to secure obedience. - Waterland, Discourse on Fundamentals.

Church that cannot rightly divide the Word of Truth into doctrines or practices, tolerable and intolerable, is not worthy of the name.

#### CONCLUSION.

Looking back now over the way we have come, seeing the excesses, the shortcomings and inconsistencies of modern opinion on the subject of Toleration, the stout protests against it offered by the scientific method, by social intolerance, by the maxims of good government, and chiefly by the authority of Holy Scripture, what should hinder us from penetrating through the fogs and bewilderment of the present outlook?

It cannot be so much to any new legislation as to new administration that we are to look for change and improvement. Can we do otherwise than look, for relief, directly to our Bishops, the men consecrated with invo-

cation of

The fire so bright, the love so sweet, The Unction Spiritual?

It cannot be God's will that the love of Him should ever degenerate into a languid tolerance of His enemies and their devices. "In all real love there is wrapped up hatred against that evil which counteracts goodness." And "the fire of love" never appears more beautiful in itself, or more hallowed in its purposes, than when it is all aflame in the administration of those who are "set for the defence of the Gospel." May the brightness of their fire never be quenched in the sweetness of their love!

Finally, we are brought by "the exigency of the times" to choose between only two courses. Either we must submit to the radicals of Tolerance and consent to have their motto, Laissez-faire, stamped on all our holy things, or we must make head against them in the Church and in the State by protective union, by

publishing and administering the canons of a true Christian Intolerance.

There is a deep meaning and much friendly warning in the words of the following extract; they sound like words of prophecy: "A right higher than the will of the many, a truth above opinion must be recognised, if there is to be a true liberty or true toleration. That seeming toleration which is essentially infidel may not be trusted. It bears the same relation to Infidelity, that the demand for blind faith does to Superstition; and it may yet be that in its full development the one shall bear fruit as bitter as the other has ever borne. The Faith which responds to God's teaching and calls no man master, may be as severely tried by a tyrant democracy enforcing conformity to public opinion, as it has been by despotic power doing the bidding of a Church claiming to be infallible." (J. McLeod Campbell, D.D., "Thoughts on Revelation.")

With these words it is well to conclude. The author wrote them more than a generation ago, and is himself gone to his rest. But the outlook of Toleration has already in part fulfilled his prophecy; and it will require all our Faith and manhood to prepare for, and to meet,

the coming of what remains.

JOHN JOHNSON.

## THE PRAYER BOOK IN THE CONVENTION OF 1886.

I HAVE carefully read and considered the argument made by Mr. Nash in support of the preposition, that, under the Constitution of the Church, the General Convention of 1886 may lawfully adopt, with modifications which shall not amount to substantial changes, those proposed amendments to the Book of Common Prayer which the General Convention of 1883 formulated as several and independent propositions, and directed to be made known to the Dioceses, with a view to their final adoption by the next General Convention.

I regret that I cannot concur with Mr. Nash's conclusions on this subject, and I should be disposed to regard my dissent from so learned a canonist as affording, at the least, a strong presumption of mistaken judgment upon my part, were it not that Mr. Nash has frankly admitted that the view for which I contend "is the one which is generally held" by lawyers who have been members of the General Convention. If, therefore, I err,

I do not stand alone.

I fully concede the strength of the argumentum ab inconvenienti. It is desirable that "the examination of liturgical work in a merely critical spirit" should not be needlessly protracted, for there is always some danger that the cleansing stream of reform may swell into the destroying torrent of revolution. I also admit that many of the proposed amendments to the Book of Common Prayer are susceptible of modifications which the Convention of 1886 may, perhaps, adopt, and which the judgment of the Church may, possibly, approve. Yet the argumentum ab inconvenienti, useful as it is in deter-

mining the choice as between two admissible constructions, is of no avail as against that construction in which the letter and the spirit of the law join.

I also concede that there ought to be neither a lax nor a rigorous construction of a constitutional restriction, but that any such provision should be so reasonably construed as to effectuate its purpose and intent.

The canon of construction being thus stated, the case

seems to me to be free from difficulty.

Article VIII. of the Constitution, as adopted in 1789, gave to each subsequent General Convention full power to establish a Book of Common Prayer; but in 1811 the article was amended by the addition of the following clause:

No alteration or addition shall be made in the Book of Common Prayer, or other Offices of the Church, or the Articles of Religion, unless the same shall be proposed in one General Convention, and by a resolve thereof made known to the Convention of every Diocese, and adopted at the subsequent General Convention.

The necessary grammatical ellipses having been supplied, the constitutional provision will read as follows:

No alteration or addition shall be made in the Book of Common Prayer, etc., unless the same (alteration or addition) shall be proposed in one General Convention, and (unless the same alteration or addition be) by a resolve thereof made known to the Convention of every Diocese, and (unless the same alteration or addition be) adopted at the subsequent General Convention.

Thus stated, the letter of the Constitution is clearly adverse to Mr. Nash's view. Nor upon examination will it appear that its spirit is more favorable. The objects of the restriction are two: first, by requiring consideration and action in two successive General Conventions to guard against hasty and improvident changes in the Book of Common Prayer; and second, by prescribing notice to the several Dioceses of the terms of any proposed alteration or addition, to secure the selection of such delegates to the next General Convention as may, by voice and vote, best give expression to the matured

judgment of the Church with regard to the proposed alteration or addition.

In the construction of the restriction neither of these objects can be disregarded, and the full accomplishment of either object forbids the adoption by the Convention of 1886 of any alteration or addition, so modified that it cannot be truly said to be "the same" alteration or addition, which was proposed in the Convention of 1883. and, by its resolve, made known to the Convention of every Diocese. Even if it be conceded that the adoption. with an apparently non-material modification, by the Convention of 1886, of any one of the several and independent propositions formulated by the Convention of 1883, is a sufficient compliance with the constitutional restriction considered with reference to its second object, it yet must be admitted that such legislative action in 1886 will fail of attaining the first and most important object, for but one General Convention will have acted upon the specific "alteration or addition." But who is to determine conclusively and for all time that a modification is really, even if it be apparently, immaterial? Heresies and schisms have been heretofore, and may again be, based upon words, letters, and even marks of punctuation; and a modification, which is to-day regarded as non-substantial, may, a decade or a century hence, become the shuttlecock of controversy. Mr. Nash argues that the General Convention of 1886 can be trusted. The answer is, that, by the adoption of the amendment to the Eighth Article of its Constitution, the Church has explicitly refused to trust any one General Convention, and the fact that this discussion as to the meaning and effect of the constitutional restriction has been provoked by the existence of more or less of dissatisfaction with some of the details of the work of the Convention of 1883 in revising the Book of Common Prayer, abundantly vindicates, were vindication needed, the wisdom of that restriction which denies to any one General Convention the power of definitively altering that Book. CHRISTOPHER STUART PATTERSON.

# THE PRAYER BOOK IN THE CONVENTION OF 1886.

IN the last November number of the American Church Review there appeared an article, with the above title, written by Stephen P. Nash, Esq., of New York. Mr. Nash is a lawyer of eminence in his profession, and is an earnest Churchman. It is with regret. therefore, that we feel constrained to express, we trust in courteous words—we know with most kindly intent our dissent from the views announced and the grounds assumed by the distinguished author. The article was written soon after the General Convention adjourned, and was, without doubt, inspired by a sincere desire to bring the work of altering and adding to the Book of Common Prayer to the point of rounded completeness in 1886; and while it breathes the spirit of its sanguine and enthusiastic author, and is characterised by mental vigor, ingenious suggestions, and persuasive eloquence, it advocates doctrines deemed by us disorganising in their tendency, and announces views, not only confessedly unsanctioned by precedent, but, we respectfully submit, unsustained by any recognised rules of construction, or by any constitutional sanctions.

In order that the positions of the article may be fairly stated, we make the following quotations from it. On

page 414 the learned author says:

Our view, then, is that the second Convention (that of 1886), composed of deputies, selected after such a notice (that prescribed by the Constitution for making known to the Dioceses the proposed alterations and additions to the Book of Common Prayer), with a view to action in reference to the constitutional changes proposed, has the power, in addition to its power of ordinary legislation of a Constitu-

tional Convention; that it may consult and deliberate, not only whether it will adopt or reject the proposed alterations, but whether it will modify and then adopt; the limitation on its powers of modification being only that the proposition first submitted shall not be substantially changed.

At first we thought we would *italicise* portions of these sentences; but, on consideration, we found them, as a whole, so novel, not to say startling, that they needed no change of type to call attention to their emphatic force. Again, on page 415, he says:

The various additions and alterations which by the action of the late Convention have gone through the first process of being proposed, and are now to be made known to the Dioceses, will present, when they come to be maturely considered, many cases for the application, if it is sound, of the view we are advocating.

## Again, on page 417, it is said:

It will be urged that this is a lax mode of dealing with constitutional restrictions. But there should be no question as between lax and strict modes of construction, etc.

### Again the author says:

We do not shut our eyes, however, to the fact that the stricter interpretation is the one which is generally held. This is probably due to the fact that the lay membership of the General Convention has always included many lawyers, some of them gentlemen of large experience in legislation, and that these have been probably influenced by the supposed analogy between the Constitution of the Church and that of the Federal and State Governments. That there is no such analogy in respect to the point now under consideration, we think a little examination will show, etc.

It is conceded that no precedent can be found to sustain these views.

No dictum of any Canon law writer is cited to give color of plausibility to such confidently asserted opinions. Judge Hoffman is indeed cited; but with no effect, so far as the question here involved is concerned. In vain would the writings of that wise and conservative jurist be searched for a word to give countenance to such views as those advocated in the article referred to.

The only twig upon which the theory insisted on could be fastened was to be found in the following very correct and harmless words of Dr. Hall, chairman of the Committee on Constitutional Amendments, which were contained in a report made by him in 1874 upon a proposal to sanction by canon the use of "shortened services," and which proposal the committee rejected. Dr. Hall, in that report, said:

By the present wise provision of the Constitution no alteration can be made in the Prayer Book, unless the desired changes, in all essential details, have been proposed in one General Convention to each Diocesan Convention and adopted at the next General Convention; thus securing three full years for their examination and approval; and thus is obtained that deliberate sanction which the Constitution intended to secure in such an imperfect matter.

We have quoted all that Dr. Hall said on this point. The learned author takes some comfort from the words "in all essential details;" yet he does not, as he admits, feel "at liberty to hang too large conclusions upon" them. And well may he not, for the "essential details" referred to by Dr. Hall are plainly such as must be "proposed" as well as "made known," and then "adopted." The "essential details," whatever that phrase may mean, must be in the proposal as well as in the adopted change. Dr. Hall, referring to them, says, "thus securing three full years for THEIR examination and approval.

On page 190 of the Journal of 1883, it appears that Mr. Nash offered a proposition for the amendment of Article IX. of the Constitution, in these words:

That Article IX, of the Constitution be amended to read as follows:

"ARTICLE IX. This Constitution shall be unalterable except as follows :- Amendments shall be first proposed in one General Convention, and, if then approved, shall be made known to the several Diocesan Conventions; and the ensuing General Convention shall then have power to amend or modify the alterations proposed and to act finally upon the same."

This resolution was referred to the Committee on Constitutional Amendments, of which Dr. Hall was the

The Committee reported against the proposition: concluding their report with these emphatic words:—"The only safety is in adhering strictly to the rule, that two successive Conventions shall agree on the exact alteration contemplated, as it was made known in the interim, to the several Dioceses." See Journal, pp. 233, 234. The House (see page 279), in accordance with their request, discharged the Committee from the further consideration of the subject. This proposal, therefore, to alter the Constitution so as to give the subsequent Convention the power to amend, failed. But the same view without constitutional sanction now presents itself under the pleasing and seductive guise or claim of authority arising out of a supposed reserved or inherent conventional power to amend; provided the substance be not touched: the amending conventional body, however, to determine for itself what the substance may be.

Now, it would seem that there can be no difference between an alteration to be made in the Constitution. and one to be made in the Book of Common Prayer: that is, no difference as to whether "the exact alteration contemplated be not required to be made known to the several Dioceses in advance as much in the one case as in the other." Article IX. provides that "all alterations shall be first proposed in one General Convention, and made known to the several Diocesan Conventions, before they shall be finally agreed to, or ratified in the ensuing General Convention." Article VIII. provides that " No alteration or addition shall be made in the Book of Common Prayer unless the same (alteration or addition) shall be proposed in one General Convention, and by a resolve thereof made known to the Convention of every Diocese, and adopted at the subsequent General Convention." This last clause, as before stated, was not in the Constitution until 1811. Up to that time The Constitution protected the Prayer Book "when established by this (the first) or a future General Convention;" thereby, by implication, as has been contended, giving to any General Convention the power "to establish a Book of Common Prayer." Whether this construction

was right or wrong, is immaterial to the proper solution of the question now under consideration. Supposing it to have been right, and that an ordinary Convention (notwithstanding Article IX., which protected Article VIII., as well as all other articles of the Constitution), possessed of old time the conventional or sovereign power, by canon or resolution, to *establish a* Book of Common Prayer; and thereby to change, reconstruct, alter, or add to the Book theretofore established, at its impulsive will and pleasure; suppose this were so, the Church, in solemn form, and by constitutional action, declared in 1811, that in future it should *not* be so, and that alterations in the Book of Common Prayer should thereafter, in this particular, stand on the same footing as alterations in the Constitution.

And it would seem that if anything be settled in the law of this Church, it is, as the Committee on Constitutional Amendments, in 1883, declared the rule to be, "that two successive Conventions shall agree on the exact alteration contemplated, as it was made known in the interim to the several Dioceses." As that able and learned Committee declared, so we think; that "the only safety (of the Church) is in adhering strictly to the rule," as stated above.

The extracts given suffice, we think, for a proper understanding of the object desired to be accomplished, on the one hand, and of the doubts which manifestly perplexed the author's mind, as to the constitutional propriety of taking the short road toward that object, on the other; and, also, for a just appreciation of the alarming nonchalance with which "constitutional restrictions" may be dealt with, and put aside for the occasion, in order to save a little time, or to accomplish a seeming good; such good as always becomes bitter evil when sought to be attained by unlawful or even doubtful means.

The first question which presents itself, as well to laymen who are *lawyers*, and who are accustomed to be influenced, we submit, not by *supposed analogies*, but by fixed and universally recognised rules of construction

and interpretation, as to calm-minded and considerate Churchmen, lay and clerical, who regard the security and strength of the Church as not solely resulting from the conservative spirit of its members, as being sufficient in itself for safety in every emergency, but as resting upon the solid ground of profound reverence for the bulwarks of the faith itself to be found in Holy Scripture, in the Book of Common Prayer, and in the Constitution, the first question, we say, is, whether we have a Constitution which in conscience, if for no other cause, we are bound to respect and obey, however trying and inconvenient obedience may be?

In secular matters the cry, at times, goes forth: "Salus populi suprema lex:" All law must yield to the safety of the people! But with us no such voice need be heeded: with grateful hearts we recognise the fact that the Church is safe. As it has been in the past it may be in the future, safe with the Prayer Book as it is! No lash of necessity is laid upon us to drive us on blindly over the obstructing ramparts of the Constitution itself, in order to save the Church or its sacred treasures. No: we can stand secure in what we have—rejoicing in the liturgical treasures which are already

ours. And we must calmly consider (1) whether the Constitution adopted by ourselves, is of binding force upon the consciences of the members of the General Conven tion? and (2) whether, if obligatory, and to be respected, it sanctions the "views" advocated in the article referred to? First, then, is our Constitution of binding force and obligatory upon the members of the General Convention? It is true that these members take no oaths to maintain it; to observe and keep its provisions! No common oath is theirs; but (if possible) a higher obligation binds them: it is the bond of Christian honor—of reverent submission to the will of the Church, as expressed in its organic law; a spirit of frank and cheerful obedience to that will, so expressed, without turning to the right or the left, in order to evade its plain meaning, under the impulse of any

present urgency. In nothing has the Church shown itself more entitled to the confidence which it has now among all men, than in its steady adherence and submission to the laws made for its own government! Never has its General Convention yielded for an instant to the outcry of urgent reform to let down one bar of the constitutional restraints. If a new Lectionary was desired, it must be had only as the Constitution would allow, even though to accomplish the object an amendment of that Constitution was found to be necessary. If "shortened services" were yearned for, as they have been, the learned men who constituted the Committee on Constitutional Amendments stood firm as rocks, and denied the request so urgently made to provide for such services by canon. In the same able report referred to, the eminent canonist, Dr. Hall, so justly eulogised by Mr. Nash, says:

It is true that the canon introduced into the Convention, allowing a shortened form of prayer, has been substantially enacted, and is now in force in England; but it should not be forgotten that in England no Constitution limits or restrains the Legislative power, either in ecclesiastical or temporal affairs; and, in both, the authority of Parliament is supreme and omnipotent—their action, therefore, does not seem to be a safe guide or precedent to us. Our written Constitution is our organic law, our Magna Charta,—and must control and limit all our legislation.

The usage of the Church, then—the good examples of those who have gone before us—and the sacred character of the instrument itself, as expounded by the Church, compel us to say: that we have a Constitution which members of the General Convention are bound to obey—bound by an obligation even greater than that which binds the English peer, as he lays his hand on his heart, and declares his judgment, "upon honor"—yes; we have a Constitution which we may not trifle with or disregard without wronging conscience, however urgent the apparent necessity or tempting the persuasions may be, or however inconvenient it may be to wait awhile longer, in order to accomplish what we desire. Professor Bledsoe, a man of very great learn-

ing and of profound insight into the mysteries of things, while once speaking of the slow progress of the Christian Faith over the world, uttered, as the summary of the reasons, this great thought: "God is not more grand in His works, than sublime in His patience!" And His Church does well when it imitates Him, even in His Sublime Patience; knowing well that "all things shall work together for good to them who are His." And the more is this to be done—is this patience to be exercised—where speed or hurry may endanger Constitution or wound conscience; may impair reverence for constitutional law; or may have "the appearance of evil," whereby the conscience of even the weaker ones, of those who have not learned to brush away the "cobwebs" of "constitutional restrictions," may be wounded.

Our position is impregnable; ours is the status quo; we are safe as we are. Our Zion, as it is, is the glory of the whole earth: to it the unhappy and the dissatisfied other Christian bodies are flocking, as birds to the windows of a strong Fortress—a tower of Refuge! Its safety, its security, and its stability depend upon the conviction of Churchmen inside, and of admiring seekers after a Home, outside, that its foundations are solid, and do not rest upon the fickle sand; that its monuments of Law as well as of Faith are strong and im-

movable!

Let us beware, then, how we trifle with so sacred a thing as a Constitution—our Church "Magna Charta," as Dr. Hall calls it—how we bring it into contempt by ingenious expansions or contractions of its plain provisions: how we countenance the idea that it is to have one meaning for one Convention, and another for a subsequent Convention: how, without a word in it to justify such an idea, the first General Convention, which puts in shape and proposes an alteration or addition to the Book of Common Prayer, is to be regarded as a legislative body under the Constitution, while the subsequent Convention, which is to adopt or reject the proposed addition or alteration, blooms forth into the body and shape of a Constitutional Convention, outside

of the Constitution! that is, with absolute powers, such as, either by previous grants or by universal acquiescence, the Convention of 1789 is said to have exercised. We cannot concede, without defeating the objects of the Constitution itself, that any subsequent Convention is clothed with the power, as now claimed, of altering alterations and of adding to additions which are "proposed" for adoption by itself; and to this, at its own pleasure, provided, as it is said, that according to its judgment the substance be not changed. Let us beware how we allow such novelties in doctrine and Constitu-

tional law to perplex or disturb our judgments.

And we should be the more on our guard when we see to what corner the logic of the argument retreats. On page 420 of the Review, containing the article, we find these words: "Who is to judge whether the variation from the language of the alteration, as made known by the action of the Primary Convention, is essential or not, if the proposition, just as submitted, is once departed from? The change of a word—yes, even of a letter—may involve the change of the Faith itself." To this most grave and pertinent question the short reply is given in these words: "The only answer is, that the General Convention must be TRUSTED!" "Must be trusted!"-that is, that it should under the circumstances—whether the Constitution allows it or not—be trusted with unrestricted power; as if it was the Church, or its sovereign representative; as if it was, indeed, a Constitutional Convention, and was under no obligation to do what the Church Constitution plainly points out and requires—that is, to adopt the proposed alteration, or to reject it. "The General Convention must be trusted," it is argued, or inconvenience and delay will follow. We respectfully deny that any such alternative can be presented to us. The framers of our Constitution did not choose to trust the General Convention acting last on a proposed alteration of the Prayer Book, with the power to amend it; and, therefore, the attempt to do so would be an usurpation of power, and ultra vires.

In Virginia, and in many of the States, the State Constitution may be amended thus: One Legislature formulates, in apt and clear words, an amendment which it proposes for adoption; a second Legislature, fresh from the people, after full and thorough conference with the constituent body—after time has been allowed—"for the purposes of consultation, of gathering views and information, and of instructions to delegates" (which Judge Hoffman says is the purpose of making known to the Dioceses a proposed alteration), comes to consider and consult about the proposed amendment. Now, it might happen, after time for consideration has been given, that one or more changes-in form, even-would be very desirable. And the reasoning of the article now under consideration, the expediency of the change being obvious; and the power not being expressly denied in the State, any more than it is in the Church Constitution, would be cogently persuasive to authorise the second Legislature to make the amendment required; and the more so, it might be argued, as the people were to vote finally upon the amendment, if amended; and surely the second Legislature and the sovereign people should be trusted! And yet the learned author of the article would smile at the suggestion that any such trust or confidence device, between the second Legislature and the sovereign people themselves, would result in a valid constitutional amendment! The humblest court would hold it to be a mere nullity. No; the second Legislature may think as it may; may (with most satisfactory reasons) desire to amend as it may; yet it must, at length, come to the square question of adoption or rejection of the amendment as proposed by the first Legislature, and the people must do the same. There can, in the nature of things, be no amendment anywhere.

And where, we ask, is there room or authority for amendment in the case now under consideration?

Article VIII. of the Constitution is as follows:

No alteration or addition shall be made in the Book of Common Prayer, or other Offices of the Church, or the Articles of Religion, unless the same shall be proposed in one General Convention, and by a resolve thereof made known to the Convention of every Diocese, and adopted at the subsequent General Convention.

The language used is negative at the start—restrictive of power-and rejects the idea of any subsequent discretion. It does not, in general terms, declare how amendments may be made; but it denies the power to make any, except in a way clearly and restrictively indicated. It is true that this express inhibition was not engrafted in the Article until 1811. As to this, Dr. Hall says:

It is well known that the article now under consideration was not found in the original Constitution of 1789, but was adopted by the Convention of 1808, at which those great men and legislators, Bishop White and Dr. John Henry Hobart, were leading lights. This article guards with jealous care the integrity of the Prayer Book. It does not, indeed, provide that any alterations must be preceded by an amendment of the Constitution; but the protection against its alteration is even more guarded than if such were the case. For, if an amendment of the Constitution only was necessary to authorise us to change the Prayer Book by mere canon, such canon might be passed without three years' consideration of its terms. The proposition to amend the Constitution must, indeed, be before the Church for three years, but desired changes in the Prayer Book would not necessarily be. But, by the present wise provision of the Constitution, no alteration can be made in the Prayer Book, unless the desired changes in all essential details have been proposed in one General Convention, made known to each Diocesan Convention, and adopted at the next General Convention.

And viewing these clauses of Dr. Hall's report altogether, the meaning of the words, "in all essential details," becomes obvious; they mean that the changes desired must not be proposed in general terms; but must be stated in details essential to their clear comprehension by the Church. They hardly mean that the first Convention may propose the substance, and the second add the details.

It is not for us to consider whether the inhibition of any alteration or addition, except upon the conditions prescribed, be wise or not. Suffice it to say, that it is imbedded in the Constitution itself, and it must remain there until it is eliminated by Constitutional

amendment; and it must be obeyed so long as it does remain. And the only question for loyal Churchmen is, What does the Constitution mean? And when that is ascertained, its prescription must be followed and reverently complied with. If we will follow the words of Article VIII., its clearly expressed and plain provisions, for a moment, and construe them according to the canon of common sense, which is the true rule of interpretation, we will find that said Article means that ANY alteration or addition whatsoever is prohibited, unless the same, that is, as plain people would understand it, the same thing, which is to be made an alteration or addition, be considered, and put in due form of words, in one General Convention, and by it agreed to, as THE change which it proposes shall be made in the Prayer Book, the change or alteration so proposed by the primary Convention to be embodied in its resolution, and directed by it to be made known to the several Dioceses, in order that it (the alteration or change so proposed) may be adopted in the next General Convention. This is what the Article means—nothing more—nothing less. example of this, see the form of Resolution on page 13 of the Joint Committee's Report, which is in these words: "Resolved, that the following changes be made in the Order for Daily Evening Prayer, and that the proposed alterations be made known to the several Dioceses, in order that they may be severally adopted in the next General Convention," etc. The case there is this: that upon the adoption of such a resolution, so far as the primary Convention is concerned, each of the changes or alterations is, in fact, "made;" each of them becomes, as far as that Convention is concerned, "un fait accompli"—a completed and perfected change or alteration; and it is thereupon sent forth in all essential details, to be scrutinised and considered by the Church for three years, "in order that it may be adopted in the next General Convention," and when so adopted, the inchoate change made by the first Convention, by reason of its adoption in the subsequent Convention, becomes complete and absolute. It is inconceivable, nay, viewing

Article VIII. altogether, and guided by the light of reason and sound principles of construction, it would seem to be impossible to imagine, much less to believe, that the change finally adopted can be other than that primarily made and "proposed." Two co-equal bodies are required to concur in making the change; they are not branches of the same body, but two independent and equal bodies, the first being clothed with the power to make the change and propose it to the second, which is to meet three years afterward, in order that it may consider and adopt the proposed change or reject it!

Amendments between such bodies are simply impossible. Amendments made by the adopting body, if tolerated, would alter the text of the organic change, already inchoately made by the primary Convention; and that, too, without its consent! In a word, the change or alteration first made and proposed would not be the change or alteration finally made, and would be adopted

without being proposed at all!

The true test is this: Will the thing, if done, either as to words or matter, be an alteration or addition? either, then that thing must logically and necessarily be the same thing agreed to in the primary Convention, as the change made by it, and by it made known to the Dioceses, in order that it may be adopted or rejected in the next General Convention. It will not do to say that the changes are merely verbal, or are immaterial; whether they are so or not, it is not for a single Convention to determine. Two must concur in judgment and determination as to the whole and each part of the change. And this is what Dr. Hall calls the "wise provision of our Constitution"—the conservative principle which requires that each change—that each alteration in, or addition to, the Book of Common Prayer, in all essential details, shall be stamped with the sanction of the great representative body of the Church twice given to the same thing, with the seal of its approval twice affixed.

It would seem from the reasoning of the article referred to, that nothing was settled by the action of the

Convention of 1883; that suggestions only were made by it for the consideration of the Convention of 1886; that it merely sent forth, in the rough, the substance of changes to be made by the last-named body, and when properly shaped and amended, to be adopted by it: whether amended in substance or in form only, it alone is to decide for itself and for the Church:—this assumption of authority, ex necessitate rei, resting upon the claim always set up by a body usurping power, that it, as the Supreme Parliament of the Church, must be trusted!

It is said that "the various additions and alterations which, by the action of the late Convention have gone through the first process of being proposed, and are now to be made known to the Dioceses, will present, when they come to be maturely considered, many cases for the application, if it is sound, of the view we are advocating." (See page 415 of the REVIEW, of November, 1883.) Yes, "many cases" will (if this view be accepted and acted on) be presented for reconsideration, amendment, and change! It will, in any event, require a long session of the Convention of 1886, apart from the time consumed in discussions, for the necessary taking and recording of the multitudinous votes required by the Report of the Committee. It will be remembered that each item of addition or alteration, according to its letter or number, must be voted on separately; that the resolutions require the changes, made by the Convention of 1883, to be made known, as proposed, to the Dioceses, "in order that they may be generally adopted at the next General Convention," and so the vote on each will, or may be, a recorded vote. The session of the "Long Parliament" of England will sink into insignificant brevity when compared with that of the General Convention of 1886 if, in addition to its necessary labors, it shall throw wide open the door "for the application of the view" now advocated, for the reconsideration of the "many cases" suggested.

One of these, and it may be considered as "a test case," is that of "the Feast of the Transfiguration."

As to this, the restoration of the Feast to the Calendar is considered by the learned author to be the substance of the proposed addition; the day appointed for it is deemed by him to be immaterial, it being "one of the minor features of the proposition as to which the Convention of 1886 would have power of final action;" that is, "would have power" to amend the proposed addition by striking out "August 6th," and inserting "January 18th," the day recommended by the Joint Committee in their Report; "would have power" to reverse the deliberate judgment of the Convention of 1883, not hastily, but after mature consideration, at the close of one of the most able, learned, and exhaustive discussions ever listened to in any General Convention; "would have power" to amend the proposed addition as above stated, and then as amended to adopt it, as an addition which would be neither in form nor in substance the "addition proposed" by the Convention of 1883, and "made known to the Dioceses." We most respectfully ask, was there "no substance" in the cogent arguments, by which, with all its partiality for, and marked leaning toward the Committee's Report, under the direction of Dr. Huntington, its skilled defender and unsurpassed advocate, induced the Convention to disagree with the Committee;-to reject the "18th of January," and to adopt the "6th of August" as the day for the Feast most consonant with Catholic usage? Those who advocated the addition as it now stands, and as it has been "proposed" for adoption by the Convention of 1886, verily believed that it was a matter of substance and of conscience too, not only to have the Feast, but to have it on the right day; and so they, composing a majority of the Convention of 1883, adopted the change in the form "proposed," and we submit that all the Convention of 1886 can do is to adopt or to reject it. That body may think the "18th of January" is the right day; to them, in such case, it would be a matter of substance, of constraining conscience to make the change; if so, they must reject this addition as "proposed," and make a change to suit themselves, and propose that for adop-

The Convention of 1886 may, however, upon the same grounds of conscientious conviction agree with that of 1883, and may reject an addition to the Prayer Book, which as was thought by the Convention of 1883. would put the American Church in a false position, in a position out of harmony with the Church Catholic. And yet it is gravely insisted that such a change as this would only affect "one of the minor features of the proposition," and that the addition providing for a Feast of the Transfiguration, to be observed on the "18th of January," would be the same in substance as such a Feast to be observed on the "6th of August;" and that, therefore, "the Convention of 1886 would have power of "final action" upon it. All we can say is, that we earnestly trust no such "view" will ever be considered "sound" in the American Church!

Ex pede Herculem. If this be a specimen of the "cases" to which "the view," advocated by the distinguished author, may be applied by the General Convention of 1886, when it comes maturely to consider the "various cases" of baseless or hurried proposals of the Convention of 1883, we may well tremble before the Herculean power for mischief of the "view" of which this is a sample! What proposition of addition or alteration is there which may not have its "minor features," and which the Convention of 1886 may not change by amendments, if this "view" be accepted as "sound?" We see no limit to the power, when the discretion for any purpose is conceded. If we say that the Convention of 1886 may amend and then adopt, then the discretion is absolute, and the restriction of amendments to such as do not affect the *substance* is simply nugatory, inasmuch as the body which is to exercise the power is to judge of the discretion, that is, of the power granted, and of the restriction imposed. The restriction on the power is not found either in the Constitution or the Canon law; and if recognised at all, must be conceded to be absolute. Upon familiar principles of law, if it were a matter of civil jurisprudence, the discretion claimed would be beyond the restraining or controlling

power of injunction, prohibition, or mandamus! And it is for the General Convention of 1886 to determine whether it has the power to amend every proposed alteration in and addition to the Book of Common Prayer, at its own unrestricted discretion, and then to adopt it? It would fill our hearts with bitter sorrow if our old, historic, and conservative Church should so declare. feel abiding confidence that such action is simply impossible in the General Convention of the Protestant Epis-

copal Church in the United States of America!

We have already commented upon the language used in Article VIII., and have shown that it is negative in its "No alteration or addition shall be made, etc." In this connection we desire further to say that the rule of construction is always strict in interpreting negative legislation: and this is so, whether the negative words are used in a constitution or a statute. "The general rules of interpretation are the same whether applied to statutes or constitutions." See Sedgwick on "Constitution of Statutes," etc., p. 19. It is also the law that "negative statutes" do away with and repeal all former laws contrary to them: and that absolute and exclusive rights are best secured by negations of power.

Magna Charta itself stands upon a negative: "Nullus Capiatur aut imprisonetur." And it is further held, that a "negative statute controls and takes away any common law right or remedy previously existing." A negative statute differs widely in this respect from one that is affirmative and is never construed to be cumulative; but it excludes all antecedent remedies, modes of procedure, rights, and privileges, whether arising out of statute or by implication, within the purview of its exhibition. See Sedgwick, "Constitution of Statutes, etc.," p. 31. So that, when a constitution or statute prohibits the doing of a certain thing, except in a certain way; that thing can be done in no other way! and all questions of implied or reserved powers, or of expediency, or inconvenience, are squarely met. The Sovereign has spoken: and controversy is, or should be ended.

This reasoning, if applicable to a Church Constitution at all, would seem to put an end to arguments derived from the action of the Church in 1789 in adopting That action had been preceded by the Constitution. many conferences and conventions and was finally adopted by the representatives of the respective Dioceses, who announced, before signing the Constitution, that they were authorised so to do by their several Dioceses. As early as June the 24th, 1786, the General Convention adopted the following recommendation: "That the several State Conventions do authorise and empower the deputies to the next General Convention, after we shall have obtained a Bishop or Bishops in our Church, to confirm or ratify a general Constitution respecting both the doctrine and discipline of the Protestant Episcopal Church." The deputies of six Dioceses who declared that they were authorised to confirm and ratify the Constitution did so in August, 1780:—But, to meet the views of Connecticut, Massachusetts, and New Hampshire, and to secure the union of the Eastern Churches, the question of finality was held in suspense until October 2, 1789, when the deputies of the nine Dioceses, claiming to be empowered by their respective Conventions to act finally, adopted the Constitution. And yet, after all the precautions taken, Judge Hoffman, in his work "On the Law of the Church," pp. 103, 104, says: "From the foregoing statement of facts, it may fairly be deduced that the deputies to the General Convention of 1789, regarded themselves and were treated by their associates. as vested with full power to form a Constitution for the Church; that this authority was afterwards generally recognised: and it then results that the Constitution derived its power and became the controlling law from the assent of the deputies in the Convention of 1789. The ratifications which took place in any of the States were not essential to its validity, however useful as recognitions and confirmations of the authorities of the delegates. Yet the conclusion need not be pressed further than this, that the Constitution was binding on

the Original States, unless there was an act of disavowal and rejection. By the Original States, I mean New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and South Carolina. It was rightfully in their power to judge whether their instructions had been adhered to, and to ratify or reject accordingly. It was in their power to have refused their consent at all. But when they did not assert a deviation from the authority of their delegates, nor simply refuse an assent, their silence and acquiescence bound them, and bound them because of the powers they had bestowed on their Agents." Now, it can hardly be contended that the General Convention of 1886, could act under instructions or by virtue of delegated powers from the Diocesan Councils and Conventions: or, that after the adoption of the proposed amendments the Dioceses could have any voice in ratifying or repudiating such amendments, or in determining, as was the reserved power of the Diocesan Conventions in 1789, whether their instructions had been obeyed, or whether the amendments to the amendments were matters of form or substance. The cases are entirely dissimilar. The action of 1789 sprung out of the necessities of the times; and the Constitution then adopted, although agreed to by the deputies, who claimed to be authorised to act finally, found its final sanction in formal ratifications by some of the Dioceses and in the assent, given to it by the others, resulting from their Diocesan action, in conformity with it.

An analogous case may be found in the history of Virginia. The Constitution of that State was framed in 1776 by representatives of the people; and when assented to by those representatives, without popular vote, it was accepted and acquiesced in, nemine contradicente, as the organic law of the State; and so continued for sixty-four years, until 1830. And yet no one ever dreamed in the fiercest excitements of party feeling which sprung up in the State in respect to the amendment of that Constitution, that the General Assembly, as inheritor of Conventual powers exercised in 1776,

could alter a word or a letter even of that organic law.

In the American Churcii Review of October, 1884. among other articles which reflect bright honor upon the reputation of American Churchmen for learning and ability, are two bearing upon the subject we have been considering. One by the Hon. James Emott, entitled the "General Convention of 1883;" and the other by the Rev. Frederick Gibson, M.A., entitled "The Book Annexed Amended." In the first, the author stating Mr. Nash's proposition, says: "I agree with this general view. Little can be added to the arguments and illustrations by which it is supported." He then proceeds briefly to discuss the question; and rests his argument upon a supposed difference in the methods of amending State and Church Constitutions. He concedes that, if a State Constitution is to be amended by the action of the Legislature at two successive sessions of its body, the Legislature, at its second session, cannot amend what it, the Legislature, proposed at its first session for adoption; that it must either adopt or reject "the amendment proposed ipsissimis verbis. can be no amendment of such a proposition." respectfully, as a question of power, where is the difference? If it were merely a question of delegated power, where is the authority to do what is proposed? But if it be, as it is, a question of the absolute restriction of power to amend only by the concurrence of two separate and distinct bodies of the representatives of the Church in General Convention in 1883 and 1886 in the same amendment, where can the second or subsequent General Convention find justification or authority, to say, the object being enrichment or flexibility, we are of opinion that the Convention of 1883 made a blunder; said what we think it should not have said: and, therefore, in the interest of enrichment or flexibility, or Catholic usage as we view the matter, we will amend by substituting a new response in the Beatitudes, which neither the Joint Committee nor those who, in the Convention of 1883, proposed the Amendment, ever heard or thought of: to

say that the question is on introducing the Beatitudes, just as in the case of the Feast of the Transfiguration the question is upon restoring the Feast of the Calendar, and, notwithstanding the masterly argument of Dr. Egar in the latter case, and the concurrent action of the Joint Committee, of the Bishops, and of the House of Deputies, we will substitute a new response in the one case, and defeat the deliberate will of the Convention of 1883, upon a matter of substance, that is, the Catholic usage and conformity as to the day on which the Feast should be kept. And we will amend it: call it the same proposition, and pronounce it a finality. The learned author says: "There can be no substitute of something different from what is proposed: but, as in the progress of a measure through a deliberative body, the measure may be amended, provided it still continues the same."

The italics are ours; they show whither we are to drift, if "the view presented" be entertained at all. It would seem that the subsequent Convention is to take the measure in hand, in its rude imperfectness, recast it, amend it, as far as the rules of the deliberative body will allow, "provided it (the measure) continues the same." And who shall decide? Shall the President rule an amendment out of order on the ground suggested? Or, is it to be left to those who, upon the spur of the occasion, desire to bring in something new, to determine whether in general the measure continues the same? The lurking error in the reasoning is found in the idea that the General Convention is the Church; that the proposition to amend is one made, as it were, by the Church to itself; that, at first, it merely throws out a suggestion of what it proposes to do, three years afterwards: and that, in the meantime, it will think the matter over, put it into shape, amend, and re-dress it, according to the fashion of the hour, when it is to be finally dealt with. The learned author undertaking to show a difference in the modes of amending State Constitutions and our Church Constitution, says: "But here the first action of the General Convention is in effect, a notice of what they

propose to do," and it is to be inferred, that, having given the notice, they, or, rather the next General Convention, to be composed, in large part, of new men with other views, may do as they please, provided the general measure mentioned in the notice be not, in their judgment, changed in substance. In a civil court such views would not be entertained for a moment. How it will be in the great representative body of this stable and

conservative Church in 1886, Nous verrons!

The article of Mr. Gibson, which is full of learned suggestions of change and amendments, closes as follows: "But, whatever changes may hereafter be made in our Book, it is earnestly hoped that 'The Book Annexed Amended' will not be allowed to pass, just as it is now proposed, but that it will receive during these three years the fullest criticism from our foremost scholars and theologians, and be further enriched by them; and then, after all corrections and improvements have been duly made in 1886, be finally adopted, if deemed necessary, in 1889, exactly one hundred years after its first revision and ratification."

In conclusion we may be permitted to say that, foreseeing the evils and embarrassments which would result from party or precipitate final action at the time, the writer of this, by resolution offered, and by argument submitted, in the General Convention of 1883, urged that body to forbear final action until 1886, and to greet the second century of the Church's life in 1889 with a Revised Book of Common Prayer, as perfect as it could be made: so that, for one hundred years, at least, the hand of reform should not again be laid upon it. His views, however, were not concurred in by the House; and, thereupon, yielding to the opinions of the eager majority, he did what he could to perfect the proposition. And it makes him somewhat sad now to hear the haste and precipitancy of action in 1883 made the pretext for establishing a precedent which, if "the views presented" be adopted will, he fears, lead to a breach in the strong walls of our Zion. He may be too conservative—be filled with too much anxiety about the Church and the

Book of Common Prayer, and may carry the maxim,

Obsta principiis, to an extreme.

It may be so; but being reared from lisping infancy and nurtured in her sacred bosom, he believes the Church he loves to be the Power ordained of Gop for the conservation of religion and the stability of public virtue on this Continent. As Burke thought of the English Church so he thinks of ours: "Her fortification. her walls, and her bastions, are constructed of other materials than of Stubble and Straw. They are built of the strong and stable matter of the Gospel of Liberty. She has securities not shaken in any single battlement, in any single pinnacle:" and as the eloquent orator elsewhere says: "Yes, I would have her great and powerful. wish to see her foundations laid low and deep, that she may crush the Giant powers of rebellious darkness. would have her head raised up to that Heaven to which she would conduct us. I would have her open wide her hospitable gates, by a noble and liberal comprehension, but I would have no breaches in her walls. I would have her cherish all those who are within, and pity all those who are without. I would have her a common blessing to the world: an example, if she is not permitted to be an instructor, to all who have not the happiness to belong to her. I would have her give a lesson of peace to mankind, that a vexed and wandering generation may be taught to seek repose in the Maternal bosom of her Christian charity and not in the harlot lap of indifference or infidelity."

As Burke loved the English Church, so we love the Protestant Episcopal Church in the United States of America, and we would have no breaches in her walls!

HUGH W. SHEFFEY.

### MONSIGNOR CAPEL AGAIN.

Monsignor Capel's Rejoinder to the Reply of Rev. J. H. Hopkins, D.D. New York and Cincinnati; Fr. Pustet & Co.

In the October issue, it was said: "We shall await every fresh appearance of his amiable countenance upon the field of controversy as the opening up of a fresh fountain of amusement." And, ever since, the Monsignor has been fulfilling the prediction with an abundant variety, transcending even the most sanguine anticipations. The long history of Anglican controversy with advocates of the Roman Church shows nothing that will compare with it.

His first demonstration appeared promptly on the 22d of October, and the sole basis of attack is thus stated by

him:

You are pleased to make me the mouthpiece of a gross heresynamely, that I assert "Mission or jurisdiction is direct from God."

The amusing thing about this is, that there is no such phrase in our entire article. The seven words are given by him in quotation marks, as if they were cited accurately. Yet they are a manufactured quotation. We never used them, and never could have used them, because they muddle precisely the two things which we had been careful to keep distinct.

In the same *Open Letter* he refers to a passage quoted by us from him; and he adds concerning it: "Wherein I repeat in three different ways that 'Mission is not direct from God.'" And yet the amusing fact is that, in the passage referred to, he does not say that thing even

once! He does not in that passage use the word "mission" at all. If he had, there would have been no danger of misapprehending his meaning.

But his power of misquotation is not by any means

exhausted. In his Rejoinder (p. 22) he asserts:

Dr. Hopkins says: "The being sent, the Mission, and Jurisdiction come through valid ordination."

This is another *manufactured* quotation. No such words were written by us. It is meant, as before, to *muddle* the very two things which we had most carefully kept distinct.

Again, in his Rejoinder (p. 19), the Monsignor gives

another adroit quotation from himself:

We say, "the being sent, or mission, with its necessary consequent Commission or Jurisdiction, can only be done through the Church's appointment."

It would be hard to say where this quotation comes from. It certainly is not to be found in this form, anywhere in "Catholic." The insertion of the word "mission" as identified with jurisdiction, shows the object to be to supply what had been left out in the original pamphlet.

One more specimen of the art of misquotation—not that it is of any great importance, but Monsignor, with a happy grace, strikes into it as if it were a matter of

course. In his Rejoinder (p. 17), he says:

The Doctor has not yet learnt the theology embodied in the Monsignor's words: "There are in all sects those who are in simple, honest faith; they act with good conscience, and accordingly they receive of God grace and joy and peace."

But these were not "the Monsignor's words." He said nothing at all about the "sects," or "all sects." The words as he originally used them refer simply and only to "the greater number" of those commonly called Ritualists. He says:

There is no city of any size in the States where such religious belief and practices have not a fair, sometimes even a large following. And if the descriptions of the press be accurate, the conformity with Roman Catholic liturgy and doctrines is complete.

These words certainly cannot refer to "all sects;" and yet *immediately* follows this paragraph (italics are ours):

Of those who do believe and so practice, the greater number are verily convinced their church is not Protestant but Catholic. They are in simple, honest faith; they act with good conscience, and accordingly they receive of God grace, and joy, and peace.

What is to be done with a Monsignor who seems to be unable to quote correctly either from his opponent or from himself?

But now let us turn to the point about which he has made such clamorous complaints in the newspapers, and

renews them in his Rejoinder.

Monsignor correctly declares Spiritual power to be twofold (and two does not mean three or four). He says:

It will be remarked that, in appointing these pastors, there was (1) "imposition of hands"; and (2) "the being sent."

Again he says: "These two powers are distinguished as the power of Order, the power of Jurisdiction." And he quotes S. Thomas Aquinas as saying: "Spiritual power is twofold: one sacramental, the other jurisdictional." Now there is no difference between us thus far—none whatever. The only point is as to the use of the word mission. Our writers not uncommonly use the word Mission to signify the Sacramental gift. When we speak of "Mission and Jurisdiction," we mean the same as "Order and Jurisdiction." It is perfectly clear that this is the sense in which it was used in our October article. In the only place in which Monsignor used the word "mission" in "Catholic," he couples it with "jurisdiction"—" mission and jurisdiction"—as if they were two separate and distinct things. He does not say mission or jurisdiction, which would have im-

plied that they were identified. Now if they are two separate and distinct things (and there are only the two powers spoken of), "jurisdiction" is clearly "jurisdiction," and the other word, "mission," must refer to the other thing. When Monsignor said "mission and jurisdiction," therefore, putting "Mission" first, it was taken for granted, as clearly evident, that by "mission" he meant "Order." He has nobody but himself to thank for the error, which was solely due to his own use of the word without clearer explanation. His manufactured quotations are for the purpose of making it appear that we charged him with teaching that "jurisdiction" is given "direct by God"—a thing we are utterly innocent of, never having even dreamed of such a thing. And the uselessness of the whole squabble is palpable. only about the use of a word, when there is no contest about the thing. We both agree that Order is a direct We both agree that jurisdiction comes gift from God. from God indirectly by human appointment. And whether the word "Mission" is used to signify the former or the latter, makes no difference in the thing. All that was needed was, for Monsignor to say that we had misunderstood his use of the word "Mission"-that he meant it as identified with jurisdiction, not as a distinct thing from it. Any requisite correction would cheerfully have been made at once: and we make it now. We are polite enough to take his word for it, that he meant it so: though it was impossible to prove it by his first pamphlet. The main point at issue is not touched by so much as a hair, either one way or the other.

But this easy solution would not have furnished the amusement which the Monsignor was bound to supply. A new thing under the sun was to be seen, absurd enough to make every body's face break into a smile. The question whether the word "Mission" was to be identified with "Order" or with "Jurisdiction" was declared to involve "gross heresy," and a threat was made to drag it before the civil courts on a suit at law for damages! Only think of a Roman Prelate—Domestic Prelate—threatening to bring a case of "heresy"

before a civil court, and with an American jury at that! And, as if this were not enough, he threatens likewise to sue the publishers of the AMERICAN CHURCH REVIEW, and even a bookseller who kept the REVIEW for sale on his counters! In his "Rejoinder" he mentions again the "claim made by him, which claim he re-asserts, to hold both printer and author responsible for damages

accruing." This is a new phase of amiability!

But even this is not the whole. The threat was made that he would sue, if the sale of our Article was not suspended, and the required correction made. Not seeing that any such correction was called for, his two conditions were refused, and his challenge to a law-suit accepted. Whereupon—instead of proceeding to his law-suit—our amusing Monsignor, without withdrawing his threat, proposes to go on with the discussion, as if no threat had been made! When the distinct issue is put to him in reply, that he must execute his threat, or withdraw it, or no further notice would be taken of anything he might address to his opponent, his brief reply made no allusion to the legal matter whatsoever!

Even this is not the climax. Within three days after this quiet slipping out from the challenging position, after his challenge had been accepted, the Monsignor finds himself among his own people, at a banquet after services in the Church of Our Lady of Grace in Hoboken, where his health was proposed by Father Corrigan, who said: "He is so gifted in the especial mission he has undertaken, that he can penetrate into social circles where ordinary secular and regular priests would not be recognised." And Monsignor, in his reply, speaking highly of the press, said also some handsome things

about his own prowess:

Of course, it occasionally happened that I received some blows from that quarter. But then I can strike hard, straight out from the shoulder (laughter). In fact I am a knocker-out (continued laughter and applause). But don't misunderstand me. I said knocker-out, but I am not a slugger in the John L. Sullivan sense. (The guests at this point were completely convulsed with laughter, the glasses jingled on the tables, and the room fairly rang with the applause.)\*

<sup>\*</sup> Evening Telegram of November 18, 1884.

The climax of the amusement is to see how gloriously militant the Monsignor could be, in a safe place, within three days after a clean back-down from his own challenge, when all the conditions appended to it by himself had been complied with. He is quite right in saying that he is not the same sort of a "slugger" as John L. Sullivan!

Another source of amusement may be noticed. The old fable of the Bull and the Ox comes into mind spontaneously when we think of it. When the Monsignor thought himself misrepresented - though every word quoted from him was correctly quoted—he flies to a dozen newspapers at once, with an Open Letter, demanding "immediate action," and that "the necessary reparation" shall at once be made. But when it is shown him that he has made a bogus quotation-ascribing to his opponent words which he never wrote, but which are manufactured expressly to maintain a charge for which there is no ground whatever—when this is his position, what does he do? He says, indeed, "In America as in the Old World, I have ever found men of honor ready to repair any violation of truth, even made under misunderstanding." But that is meant for his opponent to act on. Does he act on it himself? Not he! When detected in manufacturing a quotation to put into his opponent's mouth, and openly charged with it, he says-nothing. He does not deny it-it is too plain to be denied. He does not confess it and "repair" it—that would be the act of a "man of honor." just—drops it in silence, and goes on as if nothing had been said!

But even this is not all. Monsignor Capel quotes to us, from the decree of the Vatican Council of 1870, the following words, which we give a little more fully and correctly than he does:

But so far is this power of the Supreme Pontiff from being any prejudice to the *ordinary* and *immediate power of Episcopal jurisdiction*, by which Bishops who have been *set by the Holy Ghost* to *succeed* and *hold the place of the Apostles*, feed and govern, each his own flock, as true Pastors, that this their episcopal authority is really asserted, strength-

ened, and protected by the supreme and universal Pastor; in accordance with the words of S. Gregory the Great: My honor is the honor of the whole Church. My honor is the firm strength of my brethren. I am truly honored when the honor due to each and all is not withheld.

Now Monsignor calls it "gross heresy" to say that the Bishops have immediate jurisdiction; yet here the Vatican Council itself speaks of the "immediate power of Episcopal jurisdiction." Monsignor calls it "gross heresy" to say that "jurisdiction" is given "direct by God;" yet the Vatican Council says that it is by this "ordinary and immediate power of Episcopal jurisdiction" that "the Bishops" "have been set by the Holy Ghost"—and the Holy Ghost is certainly God—"to succeed and hold the place of the Apostles," and yet he would fain have us believe that the "Apostolate" is one thing—confined to the Pope, and that the "Episcopate" is another thing—subordinate to the Apostolate. Now does the Vatican Council teach "gross heresy?"

Or is it only that Monsignor has not yet corrected his earlier habit of writing, to conform to this latest Vatican standard? In regard to this, "The Faith of Catholics" gives us some shining examples. To this work Monsignor refers us more than once. It is in three bulky volumes, lately reprinted, with a Preface by Monsignor himself. He tells us that it was originally compiled by the Rev. Fathers Berington and Kirk, in the early part of this century, and was after some years learnedly revised and enlarged by the Rev. Father Waterworth. It was a sort of standard controversial work, about the same time that Keenan's "Controversial Catechism" declared the "personal infallibility of the Pope" to be "a Protestant invention" and "no article of the Catholic Faith." Now "The Faith of Catholics," in its new edition, prints at the end of the third volume a translation of the Dogmatic Constitution on the Church of Christ, issued by the Vatican Council of 1870, and containing the famous decree of the Infallibility of the Pope; which is what one would expect. But in the body of the work (vol. ii., p. 105) what do we find?

### Proposition XIV.

It is no article of Catholic Faith to believe that the Pope is in himself infallible, separated from the Church, even in expounding the faith; by consequence, papal definitions or decrees, in whatever form pronounced, taken exclusively of a general council or acceptance of the Church, oblige none, under pain of heresy, to interior assent.

Why, this is Keenan's Catechism over again! It is the direct contradictory of the Vatican decision! It is now—to Vatican ears, heresy—"gross heresy!" In the case of Keenan's Catechism, they had wit enough to call in all the copies they could find, and issue a new edition corrected up to date. Monsignor seems to have been less careful! It is one of the blessings of belonging to a communion which is semper eadem, that not more than two new articles have been added to the Creed during the reign of any one Pope. But in reissuing works concerning the Roman Faith, it is very important that they be carefully corrected up to date. What was a "Protestant invention" in 1869 is the "Catholic Faith" in 1870, and ought to have been so set down in "The Faith of Catholics" in 1884.

But there is more amusement of the same sort on the same page and the page following:

#### PROPOSITION XV.

Nor do Catholics, as Catholics, believe that the Pope has any direct or indirect authority over the temporal concerns of States, or the jurisdiction of princes. Hence, should the Pope pretend to absolve, or to dispense his Majesty's subjects from their allegiance, on account of heresy or schism, such dispensation they would view as frivolous and null.

And in regard to this *Proposition*, and the one quoted before, the book itself goes on to say:

On the two points contained in these two last propositions, that is, the personal infallibility, and the temporal power of the Roman Bishop, it is not necessary to adduce authorities (!). That the former is not an essential term of communion is certain; whatever may be the private

opinions of individuals as to whether that infallibility does, or does not, form a part of the deposit of Faith; while as to any temporal power being of divine right vested in the Apostolic See, both Scripture and History testify against such doctrine being either a term of communion or a revealed truth. On points avowedly undefined by the voice of the Church, the opinions of men are not restrained. This proves our liberty, but it touches not the substance of faith, if on such questions discordant notions have been entertained.

Only think of such a thing as including the personal infallibility of the Pope among the "points avowedly undefined by the voice of the Church," and that it is "certain" that it is "not an essential term of communion!" And this reprinted fourteen years after the Vatican decree has changed all that! Oh, Monsignor, how could you do it? And you a "Domestic Prelate of His Holiness Leo XIII., happily reigning," and "Member of the Congregation of the Segnatura" besides! What will they say to you if they ever get news of this in Rome?

Other "Propositions" might be quoted and commented on, similarly free from slavish adherence to the Bulls of Popes and other declarations which the decree of 1870 fastens upon all who accept it. But we should define all these "Propositions" as simply "Protestantism made easy." For, if Fathers Berington and Kirk and Waterworth, and Monsignor Capel, simply private doctors, can, of their own private judgment, throw overboard at one fell swoop so many Bulls of so many Popes, what is to prevent other Protestants from going a little further, and ignoring all the rest? If "both Scripture and History" are enough for them, why are they not enough for us?

We might find some additional amusement by considering the several charges of "garbling" which Monsignor so loudly brings against us. Outside of the two corrections spontaneously made before they were noticed by Monsignor (thus proving our personal integrity and desire for accuracy), his charges amount to nothing. The addition to the passage of S. Augustine makes not a particle of difference in the sense of the words we quoted. As to "keeping back" quotations from S. Gregory and

others, about "the Royal Supremacy," the charge is utterly idle. We never undertook to give all possible quotations from the one, or in regard to the other. We gave only what was pertinent to the point in hand. The charge of "garbling and suppressing passages of the Dogmatic Constitution of the Vatican," is the queerest of all. We quoted the definition of the Pope's Infallibility,—his decisions on faith and morals being "irreformable of themselves, and not from the consent of the Church," and we declared that it "says not one word about the Apostles in their corporate capacity." And Monsignor replies, emphasising with small capitals:

The decree of the Vatican runs: "The Sacred Council Approv-ING, we teach and define," etc. These underlined words you omit.

Well, well! Here is "garbling" to be sure! As if anything could be a part of the Vatican decree which "The Sacred Council" had not approved! Hereafter, we suppose, any extract from any Act of Parliament, or Congress, will be set down as "garbled" unless it begin

with first citing the enacting clause!

But now that we have had more amusement out of Monsignor than the most sanguine could have anticipated, let us settle down to solid business. And here we must beg the reader not to be discouraged by the number of quotations. They are of the essence of an appeal to antiquity. And they are all to the point. We shall enliven the array of extracts now and then, as far as we can, but we trust that the reader will be brave enough to brace himself up for a thorough reading of the whole.

The entire issue turns upon the question of Jurisdiction by the confession of Monsignor Capel himself, who

says ("Rejoinder," p. 65):

The issue is far nobler than personal triumph or notoriety; it is none other than to know if a Corporation calling itself a Church is or is not possessed of Divine Mission and Jurisdiction, and, as a consequence, is or is not a part of the Catholic Church. If this Corporation can prove itself to be possessed of such Divine Mission and Jurisdiction, then is it alone the Catholic Church in the United States; and any

other Corporation claiming the name Catholic is a fraud, or, in the language of S. Cyprian, "an adulteress."

And in connection with this, take the following, from "Catholic" (p. 81, fourth edition), speaking of our American Church:

She holds no communication with Rome; she has no jurisdiction from the See of Peter; consequently she forms no part of the Organic Body of Christ, nor indeed of any other organism, for, like her Mother, and apart from that Mother, she forms a separate and independent Corporation possessed of human authority, and bereft of every shred of the divine jurisdiction which appertains to the Catholic Church.

Now, this test of communion with Rome is a test very easy to be applied historically. Let us see, then, whether every portion of the Church which lost communion with Rome was forthwith considered to be cut off from the unity of the Church, and "bereft of every shred of divine

jurisdiction."

Monsignor is never weary of quoting S. Cyprian as a witness for the unity of the Church. But is this what S. Cyprian understood by it? Not at all! On the question of the validity of heretical Baptism—in which Pope Stephen was right and S. Cyprian and the African Bishops were wrong—Stephen had written his strong condemnation of the African decision, and threatened to excommunicate them all unless they yielded. But did S. Cyprian at once submit? Not he! He at once held a Council of seventy-one Bishops, and decided that heretics should be rebaptised—just the very thing which the Pope had forbidden. And in writing his account of the action of that Council to the Pope he says:

We know that some are unwilling to give up an opinion they have once imbibed, nor easily change their mind; but, without interruption to the bonds of peace and concord with their colleagues, retain certain peculiarities which have once grown into usage among themselves. [Is this the way in which modern Ultramontanes speak of a decision of the Pope concerning one of the Sacraments?] In which matter we too do violence and give the law to no one, inasmuch as every Bishop has the free choice of his own will in the administration of the Church, as he will give an account of his acts to the Lord.

Stephen refused to see the Bishops who brought him this answer, and even forbade the faithful in Rome to offer them any hospitality. The promised excommunication was launched. And if you would like to see what S. Cyprian thought about it, and about the infallibility of the Pope, read what he says to his Brother-Bishop Pompeius:

Because you desired to be informed what answer our Brother Stephen sent me to our letters, I send you a copy of his rescript, after reading which you will more and more mark his error, who attempts to assert the cause of heretics against Christians and against the Church of God. For amongst other either proud, or impertinent, or inconsistent remarks, which he has written rashly and improvidently, etc. . . . But what blindness of mind is it, what perverseness, to refuse to recognise the unity of the faith coming from God the Father and the tradition of Jesus Christ our Lord and God! . . . Why has the harsh obstinacy of our Brother Stephen burst forth to such a degree? . . . Does he give honor to God, who, the friend of heretics and the enemy of Christians, deems the priests of God, maintaining the truth of Christians, deems the priests of God, maintaining the truth of Christians and the unity of the Church, worthy of excommunication?

Now, only think of the fairness of quoting such a man as proving the modern ultramontane Papacy, when, without the slightest hesitation or compunction, he declares that the Pope is capable of "error;" that he "asserts the cause of heretics against the Church of God; "that he is "proud," "impertinent," and writes "rashly and improvidently;" that he has such "blindness of mind," and such "perverseness," that he "refuses to recognise the unity of the faith;" that he is guilty of "harsh obstinacy;" that he is the "friend of heretics" and "the enemy of Christians," while those whom he excommunicates are "maintaining the truth of Christ and the unity of the Church." Not much ultramontanism there! But it suits Anglicans exactly.

And how did the African Church behave under this sentence of excommunication? Did they consider themselves at once cast out of the Unity of the Church, and "bereft of every shred of Divine jurisdiction?" Anything but that! They received it with about as much of respect as our General Convention would receive a

similar document. S. Cyprian convened another Council out of three Provinces, eighty-five Bishops attending, among whom were fifteen Confessors, besides Priests and Deacons and a great number of the laity. And in opening this Council S. Cyprian said:

It remains for us each to deliver our sentiments on this matter, judging no one, nor removing any one, if he be of a different opinion, from the right of Communion. For no one of us sets himself up to be a Bishop of Bishops, or by fear of his tyranny compels his colleagues to the necessity of obedience, since every Bishop, according to his recognised liberty and power, possesses a free choice, and can no more be judged by another than he himself can judge another. But let us all await the judgment of our Lord Jesus Christ, who singly and alone has the power both of setting us up in the government of His Church, and of judging our proceedings.

The eighty-five Bishops thereupon delivered their judgments *seriatim*, and unanimously stuck to their own previous decision, just as our General Convention would do under similar circumstances. The "excommunication" troubled *them* no more than it troubles *us*.

We cannot leave S. Cyprian without enjoying another little bit of amusement, and seeing how the boasted "sayings of the Fathers" are sometimes gotten up by Roman advocates. On p. 46 of the "Rejoinder," Monsignor gives us the following, which we reproduce with his own italics and small capitals:

S. Cyprian writing to the Pope S. Cornelius says: "For this has been the very source whence heresies and schisms have taken their rise, that obedience is not paid to the Priest of God, nor do they reflect that there is for the time one High Priest in the Church, and one Judge for the time in Christ's stead; whom, if the whole brotherhood would obey according to the Divine injunctions, no one would stir in anything against the College of Prelates" (Ep. lix. 6).

The italics, and especially the small capitals, show the high value and authority which the Monsignor attaches to these words. He has taken it at second-hand, as so many others have done before him, and doubtless in good faith. But he is kind enough to commend to our study the works of the Rev. T. W. Allies, who while yet a clergyman of the Church of England made a "most elaborate and lengthened research of the Fathers on this very question." And we transcribe a note of Mr. Allies ("The Church of England Cleared, etc.," p. 39) on this very passage of S. Cyprian:

Of a passage in this letter [to Cornelius] De Maistre says ("Du Pape" liv. i., ch. 6): "Resuming the order of the most marked testimonies which present themselves to me on the general question, I find, first, S. Cyprian declare, in the middle of the third century, that heresies and schisms only existed in the Church, because all eyes were not turned toward the Priest of God, toward the Pontiff who judges in the Church in the place of JESUS CHRIST." A pretty strong testimony, indeed, and one which would go far to convince me of the fact. Pity it is, that when one refers to the original, one finds that S. Cyprian is actually speaking of HIMSELF, and of the consequences of anywhere setting up in a See a schismatical Bishop against the true one! After this, who will trust De Maistre's facts without testing them? The truth is, he had taken the quotation at second-hand, and never looked to see to whom it was applied. It suited the Pope so admirably that it must have been meant for him. But I recommend no one to change their faith upon the authority of quotations which they do not test.

This is amusing enough! But if those words meant the modern Papal idea, when they were thought to be spoken of the Pope, why not let them mean the same thing—for surely the same words ought to mean the same thing-when spoken of S. Cyprian? Then we should have a clear testimony that the Bishop of Car thage was the "One High Priest," the "one Judge in CHRIST's stead," whom "the whole brotherhood" must "obey according to the Divine injunctions." And what could this be, but to make the Bishop of Carthage Pope, instead of the Bishop of Rome! But will any Roman controversialist give the words this meaning, as soon as he sees that they are spoken of S. Cyprian? Of course not! Words spoken of the Bishop of Rome are interpreted in a different way from the same words when spoken of any one else. If of the Bishop of Rome, they are magnified to the uttermost. If of anyone else, they are made to mean as little as possible. And without this doubly distorting process, no case for Rome can be made out from antiquity at all.

But to resume our sketch of the Cyprianic controversy. The African Church was excommunicated by Rome, and paid no attention to it. How did the rest of the Church regard it? Did they consider that the Africans had ceased to be a part of the Catholic Church? Did they take for granted that these excommunicated Africans were now bereft of every shred of the Divine jurisdiction?" Not in the slightest! S. Cyprian is evidently countenanced by S. Dionysius of Alexandria, S. Firmilian of Cæsarea in Cappadocia, and S. Basil the Great—the last-named acting as independently in the matter as if the Pope had made no decision at all. The position taken by S. Cyprian as to the question of Jurisdiction, is justified later by S. Augustine also. But let us read some words written by S. Firmilian to S. Cyprian, and see how he not only speaks as freely about the Pope as S. Cyprian, but he turns the prooftext of Romanists against themselves:

What is the error, and how great the blindness of him (i.e., the Pope) who says, remission of sins can be given in the meetings of heretics, nor remains in the foundation of the one Church which was once fixed by CHRIST upon the Rock, may be hence understood, because to Peter alone CHRIST said, Whatsoever thou shalt bind on earth shall be bound in heaven, and whatsoever thou shalt loose on earth shall be loosed in heaven; and, again, in the Gospel, when on the Apostles alone CHRIST breathed and said, Receive the Holy Ghost: whose sins ye remit they are remitted, and whose ye retain, they are retained. Therefore the power of remitting sins was given to the Apostles and the Churches, which they, being sent by CHRIST, set up, and to the Bishops who have succeeded them by ordination in their stead. . . . And here I am justly indignant at this so open and manifest folly of Stephen, because, glorying as he does in the rank of his Episcopate, and maintaining that he holds the succession of Peter, upon whom the foundations of the Church were laid, he introduces many other rocks, and sets up new buildings of many Churches, while he affirms, on his own authority, that baptism is in them. . . . Nor does he perceive that the truth of the Christian Rock is clouded over by him, and in a manner abolished, who thus betrays and deserts unity.

But even this is not all. He has not the slightest hesitation in charging the Pope with "error" "and blindness," with "open and manifest folly" in deciding such a matter "on his own authority," and even tells him that he, the Pope, "betrays and deserts Unity!" Moreover, he thus apostrophises Pope Stephen himself, in words of fearful strength:

But thou art worse than all heretics; for whilst many, acknowledging their error, come to thee, thence to receive the true light of the Church, thou assistest the errors of those so coming. . . . Nor understandest that their souls will be demanded at thy hand, when the day of judgment is come, who to the thirsting hast denied the Church's draught, and hast been the cause of death to those who would live. And, moreover, thou art indignant! See with what ignorance thou venturest to censure those who strive for the truth against falsehood. For who had most right to be angry at another; he who supports the enemies of God, or he who argues for the truth of the Church against him who supports God's enemies? except that it is evident that the ignorant are also passionate and wrathful, whilst through lack of wisdom and discourse, they readily betake themselves to passion, so that it is of none other than thee that Holy Scripture says: "The passionate man prepares quarrels, and the wrathful man heaps up sins;" for what quarrels and dissensions hast thou caused through the whole world! But how great a sin hast thou heaped upon thyself, when thou didst cut thyself off from so many flocks; for thou hast destroyed thyself. Do not be deceived. Since he is the true schismatic who has made himself an apostate from the Communion of the Church's oneness; for while thou dost fancy that all can be excommunicated by thee, thou hast excommunicated thyself alone from all.

Here a Saint—for Firmilian is reckoned a Saint as well as Cyprian, Dionysius, and Basil-tells a Pope that he is "worse than all heretics," that he is "ignorant," that he "supports God's enemies," that he has "caused quarrels and dissensions through the Churches of the whole world," that he is a "true schismatic." And as to his excommunication, instead of its severing the Africans from the unity of the Church, S. Firmilian tells Stephen that by it he has "destroyed himself"-has "made himself an apostate from the communion of the Church's oneness." He tells him that his power of excommunicating all others is only a "fancy," while, by excommunicating the Africans he has "excommunicated himself alone from all." How does that square with modern ultramontane notions? If any Metropolitan now should address such language to the Pope, what chance would he have to be canonized? Such language is about as much like ultramontanism as noon is

like midnight!

From all these extracts it is perfectly clear that the modern Roman notion that he who is not in communion with Rome, is thereby, ipso facto, cut off from the unity of the Catholic Church, and "bereft of every shred of the Divine jurisdiction," never so much as entered the heads of any one of these Saints. There were no such doctrines known in their day. They paid no more respect to the Pope's excommunications than Anglicans do now. It is by no means certain that any reconciliation between Africa and Rome took place before the martyrdom of S. Cyprian. If so, it was probably on the basis of each continuing its own custom until a General Council should decide (as it was afterward decided, and then Africa vielded). It is not at all clear that S. Cyprian was not still excommunicated when he died, a glorious martyr. But instead of being cut off from the Unity of the Church, he is a Father and a Saint, and his name appears still in the Roman Liturgy itself, before the name of Stephen, who excommunicated him, he also being a Saint. A beautiful symbol of the happy unity of holiness in which —hereafter—the sharpest ecclesiastical controversies of the day may be reconciled!

We cannot drop this controversy about rebaptising heretics, however, without remarking how curiously "the whirligig of time brings about its revenges." Stephen maintained that baptism with water, in the name of the Father, and of the Son, and of the Holy Ghost, was valid, and was not to be repeated when a heretic thus baptised was received into the Church. S. Cyprian claimed that valid Baptism was given in the Church alone, and that all baptisms given outside of the Church were to go for nothing. Great Councils of the Church afterward ratified Stephen's opinion, and it has been the law of the Church ever since. But in our day—though alleging a different reason—the Roman Clergy are generally adopting that very practice of re-baptising, for which Pope Stephen excommunicated S. Cyprian! This is another very pretty proof of what they mean by semper eadem!

But let us take another famous case, that of S. Meletius of Antioch. He was not in communion with Rome, the Pope giving his countenance and communion to the rival Bishop in Antioch, Paulinus. But was Meletius thought to be cut off from the Catholic Church, and "bereft of every shred of the Divine Jurisdiction?" The entire East would have laughed the idea to scorn! At the Second General Council, which met at Constantinople, and where there were assembled one hundred and fifty Bishop's, with many Saints and Confessors among them, Meletius was actually chosen to preside! When, during the session, he died, we read that "the whole East mourned over his death; his body was carried in triumphal procession, with torches lighted and psalms sung, from Constantinople to Antioch, being borne within the walls of cities, by special law of the Emperor, contrary to the custom of the Romans." After his death, in spite of the earnest entreaties of S. Gregory Nazianzen, Paulinus, who was in communion with Rome, was not recognised, but Flavian was elected and consecrated, in strict accordance with the Canons. The Eastern Bishops write the following account of their proceedings to the Pope himself and other Westerns:

And those [the Bishops] both of the Province and of the Diocese of the East, being canonically assembled, the whole accordant Church as with one voice honoring the man, have elected the most reverend and religious Bishop Flavian to the most ancient and truly Apostolical Church of Antioch in Syria, where first the venerable name of Christian became known; which legitimate election the whole Synod hath received. But of the Church in Jerusalem, the mother of all Churches, we declare that the most reverend and religious Cyril is Bishop, both as long since canonically elected by those of his Province, and as having struggled much against the Arians in different places. Whom, as being lawfully and canonically established by us, we invite your Piety also to congratulate, through spiritual love, and the fear of the LORD, which represses all human affection, and accounts the edification of the Churches more precious than sympathy with, or favor of, individuals.

Not the slightest shadow of a shade is there, in all this, of the notion that, to be in the Catholic Church at all, one must be in communion with the Pope of Rome; or that all Bishops receive their jurisdiction only from

the Pope.

Take another case, that of S. Theophilus, Patriarch of Alexandria. He belonged to the opposite party in the Church from S. Chrysostom, and was naturally strongly prejudiced against him, took part in his condemnation, and was not willing to change his opinion concerning him. For their treatment of S. Chrysostom, Alexandria and Antioch and Constantinople were all excommunicated by the Pope of Rome. Did these three Patriarchates thereupon cease, ipso facto, to be parts of the Catholic Church, and "lose every shred of their Divine jurisdiction?" Not in the slightest! After a while Constantinople and Antioch gave up the point of contest. But S. Theophilus was unvielding, kept up his opinion and his conduct unchanged, and died excommunicated by the Pope of Rome. Well, what of it? Everything went on at Alexandria as if nothing had happened—just as it did at Canterbury; and Theophilus is not only spoken of in the highest terms by contemporaries and those who came after, but he is quoted, says Tillemont, "in the Fifth (General) Council" with the title of "Saint" and "of blessed memory; "the Council of Myra in Lycia calls him a "Prince of the Orthodox and genuine Faith;" and even a Pope of Rome, S. Leo, speaks of those "most excellent prelates, Athanasius, Theophilus, and last of all Cyril;" while another Pope, Gelasius, approves the writings of "the blessed Theophilus." S. Cyril, the nephew of S. Theophilus, who succeeded him as Bishop of Alexandria, remained five years out of the communion of Rome, rather than seem to reflect upon the course pursued by his honored But in those days nobody dreamed that such an excommunication put anybody out of the unity of the Catholic Church. And it has just as little power now.

How, then, were people cast out of the Church in those days? It was not by the action of any individual Bishop, except within his own proper Diocese; but by the power of the Episcopate acting collectively, in Synods

and Councils, lawfully assembled.

Before going any further, however, let us first look a little into the reason of things. What is actually the basis of the argument of Rome is, the supposed necessity of some one head, to take away the occasion of schism. The one Emperor in the vast Roman Empire is the pervading idea which really rests at the bottom of this assumption. We call it a pure assumption, for there is nothing in Holy Scripture to justify it. Our LORD positively forbade that any one of the Apostles should have authority over the rest,—a fact which is, as a general thing, totally ignored by Roman controversialists, and by Monsignor Capel among the rest. The "Kingdom" was given to the Apostles collectively. "sending" was addressed to them all collectively. abiding presence of Himself was promised to them all collectively, even until the end of the world, thus including their official successors the Bishops. The gift of the HOLY GHOST was to abide with them collectively "forever," to give them strength and unity, and to guide them into all truth. This is the Divine plan for securing unity. The worldly plan would be—as in the Roman Empire—to have a visible Head for a visible Body to secure unity. The Divine plan gives a Spiritual unity, in one Brotherhood, for a Spiritual Kingdom. Our Roman friends ask us to believe that when our LORD forbade that any one of the Apostles should be exalted over the rest, he really meant that the Pope should be "adored" from the moment of his election! They ask us to believe, that when our LORD gave the Kingdom to the Apostles collectively, He really meant to give it to S. Peter alone, "in its plenitude," and to all the rest only as being subject to him. They ask us to believe that when He promised to be with them, He meant that He would surely be present with S. Peter, and with the others only so long as they acknowledged their subjection to him. They ask us to believe that though, on the day of Pentecost, the Holy Ghost descended upon all of them, yet none of the rest could be sure of the direction of the Holy Ghost in anything concerning faith or morals, unless His words came through the lips

of S. Peter. They ask us to believe that when Our Lord prayed "that they all may be one in us," He meant to say, "that they all may be one in Peter." In the treatise of Bouix,\*—which may be called one of the present standard works, bearing on its forefront the special commendation of the author in a letter addressed to him by Pius IX. himself—we find the distinction between the two laid down with the utmost clearness, and with a full and logical sense of all the consequences;

If Canon law does not spring from the sole authority of the Roman Pontiff, and does not derive from thence the power of binding all the faithful of CHRIST, but rather flows from the collective authority of the chief pastors, that is, from the Bishops generally, together with the Chief Pontiff, it follows: First, that laws and constitutions issued by the Vicar of Christ alone, do not constitute Canon law properly so called, but only acquire the force of Canon law when at the same time they are confirmed by the other chief pastors of the Church; secondly, that the Roman Pontiff, to whom it was said in the person of Peter, Feed my lambs, Feed my Sheep, cannot feed and rule the lambs, that is, the faithful of the Universal Church, and touch them with his Decrees, except in so far as the whole body of the Bishops at the same time decrees the same things; also, that he cannot feed the sheep, that is, the Bishops, unless they themselves may be willing to bind themselves by the decrees issued by the Chief Pontiff concerning themselves; it follows, thirdly, that pontifical constitutions issued for the Universal Church may be regarded by the Bishops as not binding, and therefore as being null, so long as they have not established them by their own authority, no matter how much the Pope may urge them, and may fulminate his censures against those who rebel; it follows, fourthly, and most manifestly, that plenary power of feeding, ruling and governing the Universal Church, to wit, the faithful and their pastors, was not given by Christ to the Roman Pontiff in the person of Peter, no matter how expressly the Œcumenical Council of Florence may have defined it. Hence, under the aforesaid definition, there lies hid the total poison of Gallicanism, Febronianism, Jansenism, Anglicanism, and, in one word, Schism.

Bouix is entirely correct in this—that last word, "Schism," being from his point of view. It is the real issue between Anglicanism and Romanism. We say that the Church is built "upon the Apostles [plural] and Prophets, Jesus Christ Himself being the head corner-

<sup>\*</sup>Tractatus de Principiis Juris Canonici, auctore D. Bouix Theologiæ et Juris Utriusque Doctor. Editis Tertia. Paris, 1882.

stone." They say, that the Church is built upon the Pope

of Rome for the time being.

Let us compare the two. First, we have the Apostles as a body. There is no evidence that any one of them was subject to any other of them. The first Canon of the most ancient body of Canons in the Christian Church -called the Apostolical Canons-requires that a Bishop shall be consecrated by two or three Bishops, thus recognising the collective idea from the start, and the larger of these numbers, three, has been the express requirement of all subsequent canonical legislation on the subiect. It has always been maintained in the Anglican Church, and in every branch of it to this day, though not so strictly in the Roman branch, nor has any Anglican consecration ever taken place with less than three Bishops uniting in the act. This gives a threefold guarantee of validity to every Bishop consecrated. is an open and public guarantee. As each of the three consecrators must himself have been consecrated by three others, the second step has a ninefold guarantee, and so on by geometrical progression. This is somewhat reduced by the same Bishop acting in two or more consecrations. It is, on the other hand, increased by the fact that very often four or more Bishops join in a consecration, thus greatly multiplying the threads of connection with the past. Take for instance the case of the present Bishop of Albany.\* He was consecrated by five Bishops, and, tracing up the lines of their consecrators, it will be found that every priest ordained by Bishop Doane combines in himself the transmission of the spiritual gift through no less than sixty-nine Bishops of the American Episcopate, including the whole of the four (one Scottish and three English) consecrations with which our American succession begins; and besides these includes four Bishops of the English and Colonial Churches-Spencer, Medley, Fulford, and Staley-besides the three Scottish and six English with whom our succession began, or eighty-two Bishops in all. And this

<sup>.</sup> The Bishop of Albany ordained the writer to the Priesthood,

is in less than one century. The same rule, having prevailed in every part of the Catholic Church from the beginning, must everywhere have produced the same result. It is as sure and as simple as the multiplication-

table. It leaves no room for doubt.

Take our American Church, for instance, Is it conceivable that a man should be received by all the clergy and laity of a Diocese as a Bishop who had never been consecrated? and that, too, when the sole ground on which he could be received was that he had been consecrated! Is it conceivable that a man would be received into the House of Bishops, and sit and vote there unquestioned, while as yet he had never been consecrated? and that, too, when the sole right to a seat rested on the fact that he had been consecrated, and those among whom he sat *must* have certainly known whether they had consecrated him or not! And as these consecrations are things of public local notoriety, the stealing in of any unconsecrated man, and his universal recognition both by the clergy and laity of a Diocese, as well as by the House of Bishops, is a moral impossibility. The same is true of every Province and Provincial Synod in Christendom.

The fact of consecration, therefore, is as certain as any human event can be. And in every such consecration there is the personal contact of the consecrators and the consecrated, and each consecrator imparts to the consecrated that which he himself already possesses—a part in that One Episcopate of the Catholic Church, of which each validly consecrated Bishop has an undivided share. No one can say of such an act that the consecrators undertook to give what they had not got themselves. And the requirement of three or more consecrators in each consecration produces, not a single chain composed of single links, the failure of any one of which would break the line; but it gives a multitudinous web of validity, so wide-spreading and comprehensive that the loss of one thread here and there—even if it could be proved (as it can not)—would have no effect at all on the general result.

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But see what a marvellous contrast to all this is found when we consider the Roman theory. Remember that it is a maxim which lies at the basis of the whole Roman doctrine of jurisdiction, that "No one can give what he has not got." Yet this very maxim, when closely examined, cuts up their own theory by the roots. For Monsignor tells us (in "Catholic," p. 23, first edition) that "the Apostles had universal jurisdiction directly from CHRIST." Yet our Roman friends will have it that none of these Apostles left any jurisdiction to his successors—the lines of Bishops whom they consecrated; but that S. Peter left the entirety of this universal jurisdiction to the Bishop of Rome. Well, as all the Apostles had this universal jurisdiction directly from CHRIST, I suppose our Roman prelate will be good enough to leave them all in full possession of it at least as long as they lived. But S. Peter did not outlive all the rest! At the time when he was martyred, certainly one, and probably more than one, of the other Apostles were still alive. S. Peter, then, could not have taken away S. John's "universal jurisdiction," which S. John had "directly from CHRIST." S. John lived about thirty years after S. Peter was crucified with his head downward. S. Peter, therefore, never enjoyed "universal jurisdiction" in such a sense as to exclude from the same power all the other Apostles. As he did not possess such an exclusive power, he could not transmit it; for "no one can give what he has not got." Linus, Anacletus, Clement, and the other early Roman Bishops who were contemporary with S. John, never could have possessed any such exclusive power, any more than S. Peter before them. They could not—on Monsignor's own showing-have gotten it at all until the last of the original Apostles was dead. And who was to give it to them then?

The same maxim—that no one can give what he has not got—works the destruction of the Roman theory in yet another way. It is supposable that S. Peter, if he had it, might, before his death, have given it to Linus. But how was the *successor* of Linus to get it? If each

Bishop of Rome himself consecrated his own successor. it would be conceivable that the power were transmitted. But that has never been done at Rome. It is contrary to the canonical system of the entire Catholic Church from the beginning. No Bishop of Rome either elects or consecrates his successor. No Bishop of Rome has ever had any Episcopate which was not given to him by those who were not Bishops of Rome, and whose Episcopate was therefore precisely the same as that of all the In the earlier ages, he was always elected by the clergy and the Christian laity of the city of Rome, and he was consecrated by the Bishops of the Province, the Bishop of Ostia generally acting as Chief Bishop or Consecrator. In the year 1050 the right of election was transferred, by the Pope himself, to the body of Cardinals. Now, supposing this supreme jurisdiction is to be transmitted from S. Peter, how is it to be done? It must come through some one who has it, for "no one can give what he has not got." It could not be transmitted through the other Bishops of the Province, because they never had it. Our LORD never said to the Bishop of Ostia, "Feed my lambs, Feed my sheep." Nor did He say to the Bishop of Ostia, "Upon this Rock will I build my Church." It could not be transmitted through the clergy and laity of Rome by their election of the new Bishop, for it is not claimed that S. Peter left this power originally to the clergy and laity of Rome; and certainly our LORD never said to the clergy and laity of Rome, Feed my lambs, Feed my sheep. So they "could not give what they had not got." And how are the Popes now to get it through the Cardinals? As they did not come in possession of the power till the year 1050, it is impossible that they could have gotten it from S. Peter much less from our LORD Himself. The change was a thousand years too late for that. As their power of election comes only from the Pope himself, it amounts to nothing; for, as the Pope had no power of choosing his own successor, he could not give such power to any one else, for "no one can give what he has not got." Thus there is a total solution of continuity on every vacancy in the See of Rome. Instead of a chain of links interlaced with one another, it is a mere series of links no two of which can possibly be brought

within touching distance!

This would be strong enough had the Roman succession of Popes run on without interruption in its usual channel through all the ages from Linus. But when we look into history we find that no one of the great Sees of Christendom has had such great and long-continued interruptions and gross scandals connected with its succession as the See of Rome. To allude to only a few of these—for one clear break in a chain of single links is as destructive as a thousand-what shall we say of the shameful Pornocracy at Rome? For about sixty years together, every Pope-Baronius acknowledging it-was intruded into the Roman See, without a valid or canonical election of any one of them; and the celebrated prostitutes—the two Theodoras and Marozia—were the power which thus thrust into the "See of Peter" their own paramours, sons or grandsons. Baronius says that their names are kept in the list only for chronological purposes; but what, then, becomes of the sole foundation of spiritual jurisdiction in the whole Catholic Church? Who will bridge over that gap of sixty years? Who, at the end of it, was able to give to the next Pope what the giver himself had never received?

Similar cases may be found in the Papal Schisms, when there were two or three claiming to be Popes at the same time, each anathematising the others with all his adherents, and declaring all his acts to be null and void.\* Then, again, Simony has power to vitiate an election. At the Roman Synod held by Gregory VII. in 1078, it was enacted (Canon V.) that "All simoniacal elections are void, even without any formal judicial sentence, and though the elected person may be wholly ignorant of the facts." Now, the infamous Alexander

<sup>\*</sup> By the way, Monsignor asserts that "the act of resigning to the Crown, as the Archbishop does, is the visible admission that the source whence whatever authority the Archbishop has, comes from the Sovereign of England," on the principle that all "resignations" are "made to a superior." Then when Popes resigned to a General Council they thereby admitted the superiority of a General Council.

VI., a Borgia—generally regarded as the climax of badness in Popes-not only, through his friend Cardinal Ascanio Sforza, purchased the votes by which he was elected, but also sold the Cardinalate openly during his pontificate, thus vitiating all subsequent elections. strict Canon Law-Roman Canon Law-therefore, there has not been a valid Pope or Cardinal for nearly four hundred years! Nay, still worse! For it is the natural instinct of those who buy and sell votes for the Papacy to keep the thing secret. It is only in a peculiarly shameless case that it can be known. It may be happening for all the Christian world may know—at every Papal And thus nobody can be sure of the validity of any Papal election! Yet we are asked to accept this as the sole fountain of spiritual jurisdiction from the beginning!

If, then, there is any force in the axiom that "no one can give to another a power which he himself does not possess"—and this principle is the essence of all *transmitted* power—the Roman theory is not only unhistorical as a matter of fact, but it is *impossible* as a matter of

principle.

On the other hand, as we have seen, the true principle is embodied in the Apostolic Succession of the Episcopate as a body, each Bishop possessing entire the power which he transmits through the laying on of his hands, while the requirement of at least three consecrators so multiplies the assurances of a valid transmission, that all possible irregularities known in history are as drops in a bucket, leaving the direct transmission of spiritual authority by the entire Order, unquestionable.

Moreover, the question as to whether the Church is founded upon the *Pope* or upon the *Bishops of the Church* as a body, admits of so plain an answer from antiquity that it shines forth clearly even from the quotations given from the Fathers by Monsignor Capelhimself. S. Cyprian, as quoted by him, says: . . . "there is one Church from Christ throughout the whole world, divided into many members, and one Episcopate diffused throughout an harmonious multitude of many Bishops," etc. S.

Pacian, as quoted by him, after mentioning our LORD's promise to S. Peter, adds: "He spake to one, that from one he might lay the foundation; afterward delivering the very same command in common to all." Dr. Pusey's note on Tertullian, which Monsignor quotes, thus defines S. Cyprian's teaching about S. Peter's being the Rock: . . . "the authority he speaks of as derived through him to all Bishops, so that the Church is placed on the Bishops." And finally, the "last sentence," says Monsignor, "expresses fairly accurately the Roman Catholic teaching;" and that last sentence is as follows:

The words were pronounced to S. Peter by virtue of the true Faith in Christ which he had just confessed; he was a rock by reason of his union with the Rock; that Faith in Christ as the Son of God was his stability, and that of the Church afterward, and of those who at any time were pillars of the Church.

If this be the "fairly accurate Roman Catholic teaching," then every one who has "the true faith in Christ," every one who is in "union with the Rock," every one who "at any time" is a "pillar of the Church" is as much of a Rock as S. Peter himself. Every such one, therefore, has the plenitude of power, and is the sole fountain of Spiritual jurisdiction to the whole Catholic Church throughout the world! But we hardly think that this definition will pass as "fairly accurate" at the Vatican!

Again, the Monsignor quotes S. Cyprian as saying, after the usual reference to "Thou art Peter:"

Thence the ordinations of Bishops and the ordering of the Church runs [sie] down along the course of time and line of succession, so that the Church is settled upon her Bishops, and every act of the Church is regulated by these same prelates.

The Roman theory would have required him to draw the inference the other way, namely, that the Church was settled upon the *Pope of Rome*, and that every act of the Church is regulated by that same *Pope of Rome*.

Again, alluding to S. Cyprian, he speaks of "the au-

thority derived through Peter to all Bishops." Well, we contend that if the power has been derived through Peter to all Bishops, it is as clear as daylight that all Bishops have it! If S. Peter had given it only to the Bishops of

Rome, it would be the other thing!

Again, Monsignor himself says: "Not by delegated or vicarious power, but by the Holy Ghost, do Bishops rule in the Church of God as the successors, not of individual Apostles, but of the Apostolic College," which is truly Catholic and Anglican doctrine, but he spoils it by putting the Roman addition, that "this Episcopal jurisdiction is plainly subordinate to the Apostolate"—that is, the Papacy. Cardinal Hergenrother, also, tries to maintain the ancient doctrine of the One Episcopate, but only with the modern Roman "rider:"

The Episcopal power of jurisdiction is therefore not derived immediately from Christ, in so far as it exists in individuals; it has been established by Christ, but is not conferred immediately by Him upon individual Bishops; it is imparted to them by the Head of the Church, or Bishops whom He has authorized. Thus the Unity of the Episcopate, so much insisted on by the Fathers, is fully upheld (!); the Holy See is head, root, spring, and origin of the spiritual authority.

Nay, so ingrained into the thought and speech of all antiquity is this *Collective Unity of the Episcopate* as the reservoir of Spiritual power on earth, that the Vatican decree of 1870 itself cannot ignore it. It gives at the last the Roman twist, of course, but there lies imbedded in it—like a lifeless fossil in the Old Red Sandstone—the *verbal* statement of the old idea about the Bishops:

So far is this power of the Supreme Pontiff from being any prejudice to the ordinary and immediate power of Episcopal Jurisdiction by which Bishops who have been sent by the Holy Ghost to succeed and hold the place of the Apostles, feed and govern each his own flock as true pastors, that this their Episcopal authority is strengthened by the Supreme and Universal Pastor.

Now the flavor of true antiquity is so strong in the *italicised* words of this passage, that it justifies us in making the point we have already made against Mon-

signor's definition of jurisdiction. But as to whether all this is "strengthened" by the modern Roman absolute monarchy, according to which each Bishop is at the mercy of the Pope, that is quite another matter! Let the answer on that point be given by the entire Episcopate of France, whose sees the Pope summarily suppressed only to please Napoleon, requiring them all to resign those sees whether or no, and depriving, without synod or trial of any kind, all who refused to resign! If that be "strengthening," what is destroying?

The clearest demonstration of the constitution of the Primitive Church, however, is not to be found by gathering together, from the writings of individuals, all the complimentary phrases or epithets bestowed upon the most powerful See in Christendom, and ignoring everything else. That a primacy of honor was willingly accorded by all to the Bishop of Rome, is freely acknowl-That the primacy of influence was his also, is equally clear. No Anglican writer of any standing denies it. That the patriarchate over which he presided was so large and important, that, generally, without its acceptance no action was accounted Œcumenical, is a matter of course: but the same rule made the acquiescence of the East equally indispensable, and that did not make the East supreme over the whole Church. The favorite plan with Roman controversialists is, to quote all the passages that refer to the Primacy, and then take for granted that they prove the Supremacy, which is a totally different thing. This is what the famous Bossuet says on the subject, who lived and died in communion with Rome; and we give it as imbedded in a quotation from that same Mr. Allies, whose researches "while yet a clergyman of the Church of England, on this very question," Monsignor Capel so cordially commends to our study. Allies says:

Roman Catholic writers, in defending the Papal Monarchy from the remains of antiquity now allowed to be genuine, instead of being able, clearly and historically, without subterfuge and ingenious expedients, to prove their doctrine, are reduced to the predicament which one of their own Communion thus expresses:—'If the question be concerning the Pope's Supremacy, he diligently collects from Councils and the holy Fathers the strongest proofs for the Pope's *Primacy*, which Primacy was not in discussion. If the Papal infallibility be controverted, he writes out those passages in which the Councils and holy Fathers have expressed high and reverential feelings about the First See, though they were not acquainted with its infallibility.' Those who use such a mode of arguing do not find it difficult to get the patronage of the holy Fathers for their errors. Yet how easy it is to see that they nefariously abuse their abilities, and violate faith with the public, and religion itself. Yet thus did Bellarmine, and whatever other adversaries the Gallican doctrine found.

### Mr. Allies continues:

Others, again, remind one, I am constrained to say, of that celebrated feat in which a single rider vaults alternately from one horse to another at full speed. He rides both, but keeps fast to neither, showing his skill by the dexterity with which he changes his position. Just so they manage the Papal and the Patriarchal power of the Roman Bishop.

# And, after enlarging on this, he says:

It is hard, certainly, to be convinced by those who take up such a line as this. Fully aware as I am that it is a question of salvation, I am not at all persuaded by their mode of proceeding: nay, I have to struggle against a continual feeling of bad faith in those who pursue it, which I am most loath to impute to any. But, if inexorable history would allow them to be honest, surely they injure their own cause: as ours has been injured by concealing the original and legitimate power of the Roman Bishop as occupant of the first, and that S. Peter's, See.\*

The admirable work from which this extract is taken, Mr. Allies utterly failed to answer, when—upset by the Gorham decision—he went over to the Church of Rome himself. Notwithstanding his personal inconsistency, his history continues to be history, and the correctness and honesty of his quotations has never been impugned. And while on the subject of unfairness in the working up of historical evidence, it may be well to give a quotation or two from the Rev. Edmund S. Ffoulkes, from a work written by him while he was yet in full communion with Rome. He is speaking of the positions maintained

<sup>\*</sup> Church of England Cleared from the Charge of Schism. Pp. 341, 2.

by the Greeks in their great controversy with the Latins, and he says:

Too often, it must be confessed, they were sought to be answered or evaded by assertions which were not fact, and authorities that were not genuine. Thus we are brought to a phase in the controversy, which no Western, it is to be hoped, in modern times will ever look back to without unfeigned regret and shame. The two great questions on which the controversy between the East and West turned, were, the Procession of the Hold Ghost and the Papacy. On both, the West has been convicted, by modern criticism, of having sought to establish the positions on which it insisted by means of such volumes of forged or spurious evidence as would damn any cause forever irrecoverably, Christian or pagan, could it also be proved to have been used, knowingly, that it was what it has since turned out to be. It would be difficult, in short, to name any secular controversy where so much utterly worthless testimony had been adduced in favor of the points sought to be proved, etc.

To Bossuet, Allies, and Ffoulkes we leave the pretended array of patristic authorities, of which Monsignor makes so much; but before quitting this branch of our subject, we would allude to some things which Roman controversialists are pretty sure to skip, with great unanimity.

S. Paul says: . . . "beside that which cometh upon me daily, the care of all the Churches." If S. Peter had said that, we should never have heard the last of it, as a conclusive proof that "all spiritual jurisdiction" had been given to the Pope of Rome from the beginning. But as it was only S. Paul who said it, it goes for—nothing! It rather seems to prove, however, that "all spiritual jurisdiction" was not given to S. Peter, and therefore could not have been transmitted by him to the Bishops of Rome. Other points might easily be named, which would have made the show of scriptural proof incomparably stronger, had they only built the Papacy on S. Paul rather than on S. Peter. But let us take a few cases from history.

Our readers will not have forgotten the words (already quoted) which Monsignor copies from S. Cyprian, with italics and small capitals, thinking that they refer to the Pope, and must therefore prove the Supremacy. But

when he finds that those strong words refer only to S. Cyprian, will he, or any Roman controversialist, give the same exalted interpretation to them *then?* By no means!

Take another case. S. Basil the Great writes to the Bishop of a great See:

That the Church of Antioch be well ordered, manifestly depends upon your piety: to manage some, to quiet others, and to restore strength to the Church by agreement. For you yourself know better than any one can tell you, that, like the most skilful physicians, you must begin the cure with the most vital parts. And what can be more vital than Antioch to the Churches of the whole world? If this could be restored by concord, nothing prevents but that, as a strong and healthy head, it should procure soundness to the whole body.

Now if *Rome* had thus been spoken of as the "head" to "the whole body," and as "vital" to "the Churches of the whole world," we should have seen it constantly quoted as a proof of *Roman* Supremacy. But as it is only *Antioch*, nothing is made of it. And the Bishop to whom S. Basil is writing is *not* the Bishop of Rome,

but the Bishop of Alexandria.

Again, S. Basil, writing to another Bishop, says: "Inform me constantly of your affairs, and undertake the care of the universal Brotherhood with the same tenderness and the same zeal, which that most blessed man showed to all that love God in truth." These words are not written to the Bishop of Rome. If they were, it would have been a famous text to prove the sole jurisdiction of the See of Peter over "the universal brotherhood." But as they are only said to the Bishop of Alexandria, they go for nothing. And "that most blessed man" who had "the care of the universal brotherhood" previously, was S. Athanasius, Bishop of Alexandria.

Again, S. Gregory Nazianzen, speaking of a great Bishop, says: "Having gone through the whole suite of sacred offices, . . . he is entrusted with the presidency over the people, which is the same as saying with the rule of the whole world. And I cannot say

whether he received the priesthood as the reward of his virtue, or to be the source and life of the Church." If these words—having "the rule of the whole world," and being "the source and life of the Church"—do not assert Supremacy and the one vital fountain of all jurisdiction, what do they mean? As they only refer to S. Athanasius, who was never Bishop of Rome, but only of Alexandria, of course they only mean a rhetorical compliment, and have nothing to do with Canon law!

Again, a great and sainted father writes: "This dignity, in which I now am, makes all my adopted children." If a Bishop of Rome had said this, what would it not prove? But it is said only by the Bishop of Cæsarea! Of this same S. Basil, Tillemont writes:

S. Basil's actions show him to us, I say, not as a particular Bishop, or a mere Metropolitan, or as Exarch or Patriarch of several Provinces, but as a Saint who enjoyed the Episcopate in full possession, without wronging the authority of his brethren, who did not limit his charity to his jurisdiction, but, regarding himself as successor of the Apostles, as Bishop of all the Churches, extended his cares everywhere where the name of Jesus Christ extended, and considered all Christians as his own people, since he carried them all in his heart.

What more would Monsignor Capel wish to have said of the Pope? And yet these words are written by a Roman Catholic historian concerning a Bishop of Casarea—one who was not even a Patriarch! S. Chrysostom, too, writes of a certain Bishop, that he not only took good care of his own Diocese, "but sent abroad in all directions men to instruct, exhort, converse, defend the approach against the enemy (the Arians). For well had he been instructed by the grace of the Spirit, that it is the duty of one set over a Church not only to provide for that which has been entrusted to him by the Spirit, but for the whole Church throughout the world. And this he learnt from the sacred prayers. 'For if,' said he, 'we should offer prayers for the Catholic Church from one end of the earth to the other, much more must we shew our vigilance for the whole of it, and care alike for all Churches, and be solicitous for

all." And this was said, not of a Bishop of Rome, but only a Bishop of Antioch—S. Eustathius.

S. Basil once more writes to a great Bishop:

Most other men have enough to do to look after what is under their own charge, whereas this is not sufficient for you, who have as great solicitude for all the Churches, as for that, the burden of which in particular has been laid upon you by our common Lord. This may be said, since you are incessant in conversing, admonishing, writing letters, sending persons in all directions with the best suggestions.

And wishing to contribute something to this matter myself, I thought it would be a most suitable beginning to recur to your perfection, as to the supreme Head, and to take you for counsellor and leader.

And yet this "Supreme Head" is only the Bishop of Alexandria, and not the Bishop of Rome! Any number of similar places might be quoted. All the ancient Bishops felt themselves responsible for doing what was in their power to protect the integrity of the Faith everywhere, and to remove any scandals which threatened or disturbed the peace of the Church. And of course this responsibility was felt the most strongly by those whose prominent and powerful Sees gave them the greatest influence. Outside of these disturbing causes, the regular administration of Church work and discipline went on with the universal admission that all Bishops are equal. A Bishop of Rome himself has expressed this with admirable clearness. S. Gregory the Great says, speaking of his own See:

I know not what Bishop is not subject to it, if any fault be found in Bishops. But when no fault requires it all are equal according to the estimation of humility.

And these words were written when the Bishop of Rome had made great strides upward in claiming un-

due power for his See.

And now let us turn to the fundamental and overwhelming proof that the *collective* idea, not the monarchical, is the true rule of the ancient Catholic Church. This is to be found in her written Canons. These were the universally acknowledged laws of Church government. They cannot be upset by quoting phrases from letters, or books, or any other documents whatever, written by individuals, no matter how high their position or how great their fame. When the Constitution of the United States plainly states the law, it is idle to quote from letters or papers or speeches of Jefferson or Madison or Webster or Clay, to show that the Constitution does not mean what it says; or that the most important principle of all, underlying all the rest, has been entirely left out! So universally was the obligation of the Canons acknowledged, that for ages the Popes themselves constantly urged it, as the ground of their interference, that they were bound to see that the Canons were obeyed. S. Leo, of Rome, uses the following noble language to the Emperor:

The privileges of the Churches, instituted by the Canons of the Holy Fathers, and fixed by the decrees of the venerable Nicene Synod, cannot be plucked up by any wickedness, or changed by any innovation. In the faithful execution of which work, by the help of Christ, I am bound to show persevering service; since the dispensation has been entrusted to me, and it tends to my guilt if the rules of the Fathers' sanctions, which were made in the Nicene Council for the government of the whole Church, by the teaching of God's Spirit, be violated—which God forbid—by my connivance.

# And to the Empress he writes in a similar strain:

Since no one is allowed to attempt anything against the Statutes of the Fathers' Canons, which many years ago were based on spiritual decrees in the City of Nicæa; so that if any one desires to decree anything against them, he will rather lessen himself than injure them. And if these are kept uninjured, as it behoves, by all Pontiffs, there will be tranquil peace and firm concord through all the Churches. There will be no dissensions concerning the degree of honors; no contests about ordinations; no doubts about privileges; no conflicts about the usurpation of another's right; but under the equal law of charity both men's minds and duties will be kept in the due order.

# And, again, to Anatolius he writes:

Those holy and venerable Fathers, who in the Nicene city established laws of ecclesiastical Canons, which are to last till the end of the world, when the sacrilegious Arius with his impiety was condemned,

live both with us and in the whole world by their constitutions; and if anything anywhere is ; resumed upon, contrary to what they appointed, it is without delay annulled.

Golden words! Compare this with the statement of Bouix as to the sole source of Canonical Law, and it will be seen at once that S. Leo, on that point, is a thorough Anglican! If the Popes of Rome would only fairly and fully go back to S. Leo's ground, as stated above, all the great breaches of Christian brotherhood

would be healed within one generation!

But even when the Popes first began to go beyond this, they did it, not by claiming that their own decrees had in themselves the force of Canons—it was some centuries before they came to that! Their first step was much more modest, though by no means ingenuous. They claimed that certain Canons were of Œcumenical authority, which really were not so; and, still later, they claimed that Canons gave them the authority they wished to exercise, when the fact was, that no such Canons had ever been passed. It was, however, a substantial confession that the Canons were the only imaginable foundations for any such exercise of power.

If we look over the *modern* body of Roman Canon Law, we shall *not* find that there is a *total omission* of all allusion to the universal power of the Pope. In the ancient Canons, however, we find just such a *total omission*. Yet Roman controversialists ask us to believe

that both mean the same thing!

But first let us examine what is meant by jurisdiction. Monsignor Capel says:

Ordination does not make a man Assistant Bishop, or Bishop of New York, or Archbishop: it only makes him Bishop. The power to have charge of souls in a Diocese, or to have authority over suffragan Bishops of a Province, comes not from ordination but by appointment.

This is perfectly correct. And this "appointment," as S. Thomas Aquinas expresses it, is ex simplici injunctione hominis, of purely human authority. Now

when a vacancy occurred in ancient times, the clergy and laity of the vacant See commonly went into an election of a proper person to fill it. The metes and bounds of that Diocese had already been settled "by purely human authority." That fixed the identity of the particular charge to be confided to the new Bishop. The other Bishops of the Province to which that See belonged-either present at the time or acting afterward-passed upon the election. Without their consent. or that of a majority of them with their Metropolitan, nothing further could be done. When they consented, the Consecration took place, and the work was complete -the See was filled. Unless within the immediate province of Rome, the Pope had no more to do with it than the Czar of all the Russias. All the arrangements settling the lines of jurisdiction were preliminary, and only inchoate, amounting to nothing positive until Consecration gave them fulness of power. They resembled the work that needs to be done in preparing for the casting of a bell. Unless the mould is duly prepared, of the proper size and shape, and arrangements rightly made for the transmission into it of the molten metal, no bell can be manufactured. Yet all these arrangements are nothing, so far as a bell is concerned, unless and until the molten bell-metal flows in. In that act the limitations previously fixed in the mould are transferred to the metal in the very act of casting, and the bell—of the determined size and weight—is complete. Now all that precedes the act of Consecration—the Diocesan limits, the selection of the individual, the confirmation by the other Bishops, the order taken by the Metropolitan-all these are of the jurisdiction. But they amount to nothing unless Consecration actually takes place. (In later ages a Bishop-elect, when confirmed by the proper authority, could perform—even before his Consecration—such acts as a Cathedral Chapter could perform during a vacancy. But this is a trifle which touches no principle.) The act of Consecration itself gave him full Episcopal power within the limits of his jurisdiction. The confirmation and ordination of Bishops is thus

provided for in Canon IV. of the General Council of Nicæa:

It is by all means proper that a Bishop should be appointed by all the Bishops in the Province; but should this be difficult, either on account of urgent necessity or because of distance, three at least should meet together, and the suffrages being taken, those of the absent [Bishops] also being communicated in writing, then the ordination should be made. But in every Province the ratification of what is done should be left to the Metropolitan.

Here there is not a word about the Pope, nor any space left within which his action would be *possible*. The Bishops of the Province *alone* are to *act*. And the "ratification of what is done" is "left to the Metropolitan" of

the Province, and not to the Pope of Rome.

So again in Canon VI. of the same great Council we find some exceptions made to this rule in regard to the three great Sees of Rome, Alexandria, and Antioch. In all these *custom* had already brought about the grouping of *several* Provinces around each of these three great centres, thus forming what were afterward called Patriarchates.

Let the ancient customs prevail in Egypt, Lybia, and Pentapolis; so that the Bishop of Alexandria have jurisdiction in all these Provinces, since the like is customary for the Bishop of Rome also. Likewise in Antioch and the other Provinces, let the Churches retain their privileges. And this is to be universally understood, that, if any one be made Bishop without the consent of the Metropolitan, the Great Synod has declared that such a man ought not to be a Bishop. If, however, two or three Bishops shall, from natural love of contradiction, oppose the common suffrage of the rest, it being favorable, and according to the Canon of the Church, then let the choice of the majority prevail.

Now these exceptions are expressly based upon custom, and not upon inherent transmitted right. Custom had given a certain jurisdiction to the Bishop of Rome over the Provinces in his immediate vicinity. The same "ancient customs" had given to the Bishops of Alexandria a certain jurisdiction over Lybia and Pentapolis—adjoining countries to the west. The same "ancient customs" had done the like for the Bishop of Antioch.

And yet, even while ratifying these "customs" with canonical authority, the Canon expressly reasserts the rights of the Metropolitans even in those associated or subordinated Provinces. It "is to be universally understood, that if anyone be made Bishop without the consent of the Metropolitan, the Great Synod has declared [to wit, in Canon IV.] that such a man ought not to be a Bishop." The general principle is laid down as a matter of fundamental law, and that which was only "custom," no matter how ancient, could not, and should not, abrogate it. Now if, instead of "Metropolitan," the Canon read that no one should be made Bishop "without the consent of the Pope of Rome," it would suit our Roman friends exactly. But there is not a word by which it would appear that the Bishop of Rome had any more power than the Bishops of Alexandria and Antioch; and it is clear that the rising power of all three rested only on "custom." Of any power of "sole jurisdiction over the whole Church Catholic" transmitted from S. Peter to the Bishops of Rome alone, there is nothing more said in the Nicene Canons than there is in the "Digest" of our American Church.

So clear is the meaning of this Nicene Canon, that Hefele—a Bishop who, since 1870, has swallowed the Vatican decrees, though with a wry face—in commenting on this Canon, says, "that the Latins interpreted it as though it determined these two points only: (a) that for the ordination of a Bishop three Bishops at least are necessary; (b) that the right of confirmation rests with the Metropolitan." He goes on to say, with unmistakable correctness and candor: "In the Latin Church this right of confirmation PASSED, in course of time, from the Metropolitans to the Pope, particularly by the concordats of Aschaffenburg." This gives away the Papal theory completely. These concordats were not made "in the beginning." They were crafty bargains made, by Kings and Popes, for dividing between themselves the original rights of Clergy and People, of Provincial Synods and Metropolitans. The Kings took the power of Clergy and People in choosing their

Bishops: and the Pope took the power of Synod and Metropolitan. And each august plunderer maintained that his new power was Divine. One was a part of the "divine right of Kings." The other is a part of the "divine jurisdiction of the Pope of Rome." And one was just about as "divine" as the other!

Canon XIX. of Antioch tells the same story as that

of Nicæa at a little greater length:

A Bishop shall not be ordained without a Synod and the presence of the Metropolitan of the Province. And when he is present, it is by all means better that all his brethren in the Ministry of the Province should assemble together with him; and these the Metropolitan ought to invite by letter. And it were better that all should meet; but if this be difficult it is by all means necessary that a majority should be present, or take part by letter, in the election, and that thus the appointment should be made in the presence, or with the consent of the majority; but if it should be done contrary to these decrees, the ordination shall be of no force. And if the appointment shall be made according to the prescribed Canon, and any should object through natural love of contradiction, the decision of the majority shall prevail.

Here there is not the slightest hint at anything to be said or done by any one outside of the Province and its own Metropolitan. So, too, Canon XII. of Laodicea, more tersely:

Bishops are to be appointed to the ecclesiastical government by the judgment of the Metropolitans and neighboring Bishops, after having been long proved both in the foundation of their faith and in the conversation of an honest life.

Here, too, there is *nothing* about any authority to be exercised beyond that of the Metropolitan and the neighboring Bishops.

The canons of the General Council of Constantinople set forth the same principle of local self-government very

distinctly. In Canon II. we read:

The Bishops of a Diocese are not to invade Churches lying outside of their bounds, nor bring confusion on the Churches; but let the Bishop of Alexandria, according to the Canons, alone administer the affairs of Egypt; and let the Bishops of the East manage the East only, saving

the privileges of the Church in Antioch, which are mentioned in the Canons of Nicæa; and let the Bishops of the Asian Diocese administer the Asian affairs only; and the Pontic Bishops only Pontic matters; and the Thracian Bishops only Thracian affairs. And let not Bishops go beyond their Diocese for ordination or any other ecclesiastical administration, unless they be invited. And the aforesaid Canon concerning Dioceses being observed, it is evident that the Synod of every Province will administer the affairs of that particular Province, as was decreed at Nicæa. But the Churches of God in heathen nations must be governed according to the custom which has prevailed among their forefathers.

No "universal jurisdiction" of the Pope of Rome can be found in that Canon! And Canon VIII. of the General Council of Ephesus proves that all Dioceses and Provinces were not included in the Patriarchates. Cyprus was under no Patriarch, but had only her own Metropolitan. The Bishop of Antioch had attempted to annex that Province to his own Patriarchate, and had held ordinations there. The Council therefore decided (Canon VIII.) that—

. . . the Rulers of the Church in Cyprus shall enjoy, without dispute or injury, according to ancient custom and the Canons of the blessed Fathers, the right of performing for themselves the ordination of their excellent Bishops. The same rule shall be observed in the other Dioceses and Provinces everywhere, so that none of the most religious Bishops shall assume control of any Province which has not heretofore, from the very beginning, been under his own hand or that of his predecessors. But if any one has violently taken and subjected (a Province), he shall give it up; so that the Canons of the Fathers may not be transgressed; nor the vanities of worldly honor be brought in under pretext of Sacred Office; nor we lose, little by little, and at length forget, the liberty which our LORD JESUS CHRIST, the Deliverer of all men, hath given us by His own Blood. Wherefore, this Holy and Œcumenical Synod has decreed that, in every Province, the rights which heretofore, from the beginning, have belonged to it, shall be preserved to it, according to the old prevailing custom, unchanged and uninjured; every Metropolitan having permission to take, for his own security, a copy of these Acts. And if any one shall bring forward a rule contrary to what is here determined, this Holy and Œcumenical Synod unanimously decrees that it shall be of no effect.

This is as clear as the noonday sun. It is declared to be perpetual. All contrary legislation (and this includes the entire modern Papal system) is unanimously decreed

to be "of no effect." This justifies the Anglican position

completely.

The Council of Chalcedon not only declares, in Canon I., "that the canons of the Holy Fathers made in every Synod even until now, should remain in force," but it also adds a prohibition of delay in the filling of vacant Sees. In Canon XXV. it "decrees that the ordinations of the Bishops *shall* take place *within three months*, unless an inevitable necessity should some time require the term of delay to be prolonged. And if the [Metropolitan] shall not do this, he shall be liable to ecclesiastical penalties.

Now, if we subtract the time necessary for the election and confirmation of the Bishop-elect, and the distance of many of the Sees of the then Catholic Church from Rome, and the difficulties and dangers of travel, it will be seen that to apply to Rome within the time named would be impossible *in fact*; just as impossible as to find anything about Rome in *the words* of the Canon itself. In the presence of such Canons the Roman claim

is mere moonshine!

But there is another and most important branch of this business of jurisdiction which remains to be considered; and that is, not so much the *giving* the power, as rather the controlling it afterward, or taking it away altogether, by the disciplinary authority of the Church, when heresy or schism or evil life makes it requisite

for the good of the flock.

And here we meet, at the outset, the principle that those who gave, can also take away that which they gave. The *collective* idea prevails here, as in the Consecration of Bishops, and the making of Canons. No one Bishop could be disciplined by any other one Bishop. But every erring Bishop was first of all to be dealt with by the Bishops of his own Province. The dead silence in regard to any right of appeal to Rome is complete.

In the Apostolic Canons (Canon XXXVII.), we find the old law for the meeting of the Provincial Synod

twice in each year:

Twice in the year let a Synod of the Bishops be held; and let them mutually examine each other concerning the doctrines of religion; and let them settle the ecclesiastical disputes that have arisen.

## And again (in Canon LXXIV.), we read:

If a Bishop be accused of anything by trustworthy men, it is necessary that he be summoned by the Bishops; and that, if he appear and confess, or be convicted, they should determine the penalty. But if he be summoned, and will not obey, let two Bishops be sent to him, and let him be summoned a second time. And if he will not then obey, let two Bishops be again sent to him, and let him be summoned the third time. And if he shall even then despise [the summons], and will not appear, let the Synod pronounce against him what they think right, that he may not evidently be a gainer by avoiding a trial

That is the whole. Not the slightest syllable about a particle of revisory or appellate power anywhere.

In Canon VI. of the General Council of Constantinople, after declaring what persons may make accusation against Bishops—

. . . the Holy Synod bids them first to lay their charges before all the Bishops of the Province, and before them to prove the accusations, whatsoever they may be, which they have brought against the Bishop. And if it should come to pass that the Provincials should be unable rightly to settle the charges brought against the Bishop, then the parties must betake themselves to a greater Synod of the Bishops of that Diocese called together for this purpose. . . . And if any one, despising what has been decreed concerning these things, shall presume to annoy the ears of the Emperor, or the courts of temporal judges, or, dishonoring all the Bishops of his Province, shall dare to trouble an Œcumenical Synod, such a one shall by no means be admitted as an accuser; forasmuch as he has cast contempt upon the Canons, and brought reproach upon the order of the Church.

Now this is most instructive and significant. Every accusation against a Bishop is to be tried, first, by the Bishops of the Province, as from the beginning. If this is not decisive, a greater Synod of the same *Diocese* [meaning what we commonly call a *Patriarchate*, or union of several Provinces] is to decide. And what next? The Pope of Rome? Oh, no! Not an idea of the sort seems to have passed through the minds of the Fathers of Constantinople. Accusers might go to the

Emperor, or to the civil courts, or to an Œcumenical Council; but to the Pope? Never! And yet this very Canon was among those approved by the then Bishop of Rome!

At the Council of Chalcedon a step further was taken in the way of providing remedies; but still there is not a syllable about any recourse to Rome. In Canon IX. we read:

If a clergyman have a complaint against his own or any other Bishop, let it be decided by the Synod of the Province. And if a Bishop or Clergyman should have a difference with the Metropolitan of the Province, let him have recourse to the Exarch of the Diocese [Patriarchate], or to the throne of the Imperial city of Constantinople, and there let it be decided.

So clear is this that distinguished Roman Catholic writers acknowledge it in the most express terms. Thomassin—to whom a Cardinal's hat was offered, but who in his humility shrank from it—says:

It is necessary to know, that, up to the Council of Nicæa, all ecclesiastical affairs had been terminated in the Councils of each Province; and there had been but very few occasions in which it had been necessary to convoke an assembly of several Provinces. The Council of Nicæa, even, only speaks of Provincial Councils, and orders that all things should be settled therein.

De Marca, also, the learned Archbishop of Paris, says:

The better to understand the order of Episcopal jurisdiction, it is necessary beforehand to lay down that the Church in the beginning suited herself to the arrangement of the Roman Empire, and therefore appointed Bishops in the chief cities of each country, but assigned the first place and the confirmation of everything to the Bishop of the Metropolis of the Province, with the Council of his colleagues. Thus Episcopal ordinations and Ecclesiastical judgments took place by the Council of each Province with the authority of the Metropolitan, so that it was not allowed to appeal from the judgment passed in a Provincial Council.

Pope Julius himself, writing to the Eusebian Bishops in regard to the intrusion of Gregory the Arian into the See of Alexandria after Athanasius had been condemned by the Council of Tyre, says:

This appointment ought not to have been made thus illegally and contrary to the Canon of the Church; but the Bishops of the Province ought to have ordained one in that very Church, of that very Priesthood, that very Clergy, and the Canons received from the Apostles ought not thus to be set aside. . . . Dearly beloved, we speak honestly, as in the presence of God, and declare that this proceeding was neither pious, nor lawful, nor ecclesiastical.

## This is so clear that Mr. Allies adds:

Let us even rest the whole question on this important point, for it is absolutely necessary to the Papal theory; and I do not think any vestige of such a doctrine can be found in the first eight centuries. At least let it be shown; for, to assert it, in the face of Canons which imply, nay, set forth palpably a system the very reverse of it, is merely begging the whole question.

In the West there was no canonical foundation for any departure from the Nicene system of Provincial Councils until the passage of the famous Canon of the Council of Sardica. This was intended to be a General Council, but turned out to be only a Western Synod. A great many troubles had arisen out of the question of Arianism, and some Provinces were much divided in opinion. The venerable Hosius said: "If a Bishop, having been condemned, feels so assured of his right, that he is willing to be judged anew in a Council, let us honor, if you think it good, the memory of the Apostle S. Peter; let those who have examined the cause write to Julius, Bishop of Rome; if he thinks proper to order a fresh trial, let him name judges; if he does not think that there is reason to renew the matter, let what he orders be kept to." This was ordered, with the following explanation suggested also by Hosius:

When a Bishop, deposed by the Council of the Province, shall have appealed and had recourse to the Bishop of Rome, if he judge proper that the matter be examined afresh, he shall write to the Bishops of the neighboring Province to be the judges of it; and if the deposed Bishop persuade the Bishop of Rome to send a priest from his own person, he

shall be able to do it, and to send commissioners to judge by his authority, together with the Bishops; but if he believes that the Bishops are sufficient to settle the matter, he will do what his wisdom suggests to him.

Here there is a total absence of the slightest hint of absolute appellate power inherently belonging to the See of Rome from the beginning. They are introducing a new thing—entirely discretionary with the Council:— "if you think it good." It looks like a merely temporary expedient for troublous times, and not a permanent law: otherwise the name of the then Pope, "Julius," would hardly have been inserted in the Canon. And it is not properly an Appeal, to be heard at Rome, by the Pope himself, but it was only a new trial, to be made in the locality where the first was held, with fresh Bishops from the neighborhood as "judges," with or without a Roman priest or commissioners sitting and judging with the rest. This is a very humble beginning for the enormous fabric of Appellate Power at Rome in Mediæval times!

In the case of Apiarius—a bad priest of an African Diocese, whom the Pope undertook to restore in spite of deposition and excommunication by his own Bishopthe African Church, and S. Augustine among them, denied that Rome had any right to interfere. The Pope claimed that the Sardican Canon gave him the right, and his legates insisted that that Canon was one of the Canons of the Council of Nicea. The Africans replied that there was no such Canon among their copies of the Nicene Canons. They therefore sent to the great Eastern Sees, to get authenticated transcripts of the Nicene Canons. And when these showed that there was no such Canon passed by the Council of Nicæa, the Africans utterly and finally refused to recognise the Sardican Canon at all. Moreover, they boldly advise the Pope not to send any more "legates" anywhere. They say: "Whoever desires you to delegate any of your Clergy to execute your orders, do not comply, lest it seem that we are introducing the pride of secular dominion into the Church of CHRIST." Their tone is so manfully independent, and thoroughly Anglican, that we cannot forbear a liberal extract, which shall almost close this part of our discussion:

Premising our due regards to you, we earnestly conjure you, that for the future you do not readily admit to a hearing persons coming hence, nor choose to receive to your communion those who have been excommunicated by us, because your Reverence will readily perceive that this has been prescribed even by the Nicene decree. For though this seems to be there forbidden in respect of the inferior Clergy, or the Laity, how much more did it will this to be observed in the case of Bishops, lest those who had been suspended from communion in their own Province might seem to be restored to communion hastily or unfitly by your Holiness. Let your Holiness reject, as is worthy of you, that unprincipled taking shelter with you of Presbyters likewise, and the inferior Clergy, both because by no Ordinance of the Fathers hath the Church of Africa been deprived of this authority, and the Nicene decrees have most plainly committed not only the Clergy of inferior rank, but the Bishops themselves, to their own Metropolitans. For they have ordained with great wisdom and justice, that all matters should be terminated in the places where they arise; and did not think that the grace of the HOLY SPIRIT would be wanting to any Province, for the Priests of CHRIST (i.e., Bishops) wisely to discern, and firmly to maintain, the right: especially since whosoever thinks himself wronged by any judgment, may appeal to the Council of his Province, or even to a General Council [of Africa]: unless it be imagined that God can inspire a single individual with justice, and refuse it to an innumerable multitude of Priests [Bishops] assembled in Council. And how shall we be able to rely on a sentence passed beyond the sea, since it will not be possible to send thither the necessary witnesses, whether from the weakness of sex, or advanced age, or any other impediment? For that your Holiness should send any on your part, we can find ordained by no Council of Fathers.

It is almost impossible to resist quoting the summary of Mr. Allies in regard to this unanswerable case of Apiarius:

As to the whole case of Apiarius, I confess it was not without astonishment that I first read this passage of history; so exactly had the African Bishops, in 426, when the greatest Father of the Church was one of them [S. Augustine], anticipated and pleaded the cause of the English Church in 1534. It is precisely the same claim made in both instances, viz., that these two laws should be observed, on which the stability of the Government of the whole Church Catholic rests; as Thomassin remarks: first, that the action of the Bishop in his own Diocese, in matters proper to that Diocese, should not be interfered

with; secondly, that the action of the Metropolitan with his Suffragans in matters belonging to his Province should be equally free. Who ever accused the African Bishops, and S. Augustine, of Schism, for maintaining a right which had come down to them from all antiquity, was possessed and acted on all over the Church, was specifically enacted at the greatest Œcumenical Council, and recognised in every Provincial Council held up to that time? This was all that the Church of England claimed: she based her claim on the unvarying practice of the whole Church, during, at least, the first six centuries. I repeat, it is not a case of doubt, of conflicting testimony. . . . Church of the Martyrs, the Church of the Fathers, of Athanasius, Basil, Gregory, and Chrysostom, Ambrose, Jerome, Augustine, and Gregory the Great, bearing one unbiassed indisputable witness, attested in a hundred councils, denied in none, for the Patriarchal System, and against a power assumed by one Bishop, though the greatest. most venerable, and most illustrious in his own See, to interfere, dispense with, suspend, or abrogate the authority of the Bishop in his Diocese, and of the Metropolitan in his Council; to exercise singly, by himself, powers which belong only to an Œcumenical Council, and to annul the enactments of at least the first four Œcumenical Councils. Had an advocate been instructed to draw out the abstract case of the English Church, he could not have described it more exactly than the African Bishops in stating their own. . . . I do not think it makes at all in favor of the Papal Supremacy that the liberties which the African Church, under S. Aurelius and S. Augustine, so nobly maintained, grounding them at once on the inherent rights of Bishops, and on the authority of the Nicene decrees, were in process of time wrested from them by the Popes, probably when they were enfeebled by the irruption of the Vandals, and were in greater need of transmarine assistance. I cannot imagine how a divine right can be constructed out of a series of successful encroachments.

The Sardican Canon did not prevent—what was felt to be a great evil—the recourse to the Emperor. Thirty years later, in 378, we read that "a Council of all the Bishops of Italy, assembled at Rome, besought the Emperors, Gratian and Valentinian, to issue a general edict, of which they suggested the terms, in order that Bishops might not for the future be compelled to approach the Emperor on every occasion." Accordingly "a decree was passed by the Emperors, that Pope Damascus, with a Council of five or seven Bishops, should judge accusations at Rome. . . . If the accused were in distant Provinces, the whole cognisance of the cause should belong to the Metropolitan. But if the accused be a Metropolitan, he must of necessity go to Rome to be

judged, or take those Bishops for judges whom the Pope assigns. If the Metropolitans should happen to be suspected by the accused, they may at their option appeal to the Roman Pontiff, or to a Council of fifteen neighboring Bishops." The Emperors likewise decree that whatever has been decided by the Roman Pontiff, or by the judges nominated by him, or by the Metropolitan, or likewise by the Council of fifteen Bishops, is to be final, and not to be on any pretext reconsidered.

So far as concerns the right of Metropolitans to judge in their Provincial Councils, this decree would seem to be merely a repetition of the Nicene Canons. The "fifteen neighboring Bishops" are only another form of the old principle, that every case shall be settled in that part of the Church where it arises. But the option of appealing to Rome, and the compelling of Metropolitans to be judged at Rome anyhow, are quite new. This new thing is found to rest, however, not on S. Peter, or on inherent right, or ancient custom, or anything of the sort. It is a novelty, resting solely on the decree of the Emperors Gratian and Valentinian—or, as we might say in modern phrase, an Act of Parliament! That Gratian and Valentinian should give coercive jurisdiction, in spiritual causes, to the Pope is all right, but for the Crown to give it to Bishops in England, is all wrong.

One point more. Monsignor Capel quotes a plausible editorial from the American Literary Churchman—a periodical whose editor displays his literary ability and his largeness of mind chiefly in coddling his enemies and abusing his friends. In this editorial, after mentioning the cutting off of "Gnostics, Montanists, Arians, Donatists, and the like," we read: "Later on came the Greek Schism, which was dealt with by a precisely similar method and on precisely similar principles." And afterward speaking of the Church of England, the editor says: "She is treated exactly like all other bodies that have acted in the same way, and is cut off from the Communion of the Church." And again: "If the Church, as recognized by the whole West, had no right to excommunicate the English, then the United Church

had no right to declare that the East had fallen into Schism, and the primitive Church had no right to declare that the Arians had fallen into heresy." There never was a greater mistake, historically, than to assert that the Great Schism with the East, and the excommunication of the English Church in the sixteenth century were accomplished "by a precisely similar method, and on precisely similar principles," with the condemnation of the Arians and other early heretics. In all the cases of the heretics, their condemnation—their cutting off from the Church—came from the legitimate action of *Councils* —commonly, in the first place, *local*, in that part of the Church where the difficulty arose, and almost invariably afterward ratified and confirmed by the action of Œcumenical Councils, as Arianism and other heresies were condemned at the Council of Nicæa. None of the ancient bodies of heretics was ever cast out of the Church by the act of the Bishop of Rome alone. An excommunication by the Bishop of Rome alone might safely be treated as it was treated by S. Cyprian and the African Bishops, by S. Firmilian, S. Basil, S. Theophilus, and others of the Saints and heroes of the Church, with entire disregard. It was the voice of the collective Episcopate, in Council assembled, that alone had the power to cast any out of the Church.

But at the time of the Great Schism between the East and the West there was no such Council held. The Pope excommunicated the Patriarch of Constantinople, and he returned the compliment in kind; but there was no Council on either side. Ffoulkes says (p. 452): "In their formal assemblies, their meetings of the Clergy celebrated in the name of Christ and opened with prayer, the conduct of the two Churches [the East and the West] toward each other has been characterised by singular forbearance and amenity. No Council of the East has ever anathematised the Western Church by name, or any Council of the West the Eastern. Excommunications were doubtless exchanged between Photius and Nicholas, Michael Cerularius and the legates of Leo IX., in the early part of the quarrel, but particular care was

taken on both sides to limit the sentence to the individuals who were the objects of it, and to declare that it was intended to go no further." At the Councils of Lyons and Basle, where reconciliation was attempted, there was never the slightest suggestion that the Orientals were cut off from the Communion of the Catholic Church, and needed to be restored.

In each case (Lyons and Basle), as has been shown conclusively from official statements, the programme for discussion was said to be "the division of the Eastern and Western Church." Each side, therefore, recognized the other at starting as forming part of the Church that was divided so far, and in need of re-union. The net of Peter had broken, and wanted mending. Israel and Judah were desirous of keeping the Passover again as one people. . . . Unless, therefore, they met as hypocrites, they met as equals, one regarded as much a part of the Church as the other. . . . The Latin Church ranked second in antiquity, the Greek Church in headship. Both sides were fully alive to the strength of their respective claims, and never failed to make the most of them; otherwise they met as equals.

This is totally different from the way in which the Arians were dealt with at the Council of Nicæa! Indeed, no Council short of one truly Œcumenical could have undertaken so tremendous a work as the cutting off from the Catholic Church no less than four out of the five Patriarchates of which it was then composed. And can we conceive of such an utter absurdity as the supposition, that, in an Œcumenical Council, fairly representing all Christendom, a minority of one-fifth could have cast out and excommunicated the other four-fifths? -or that such a decree would have been accepted and acknowledged as binding, by the four-fifths thus proposed to be cut off? The excommunication of the Pope, therefore, could not, and has not cut off the Orientals from the Catholic Church, any more than S. Cyprian, S. Theophilus, S. Cyril, and S. Meletius were cut off by another Pope in the days of old, before them. It was not, and could not possibly have been, the act of "the United Church."

So in the case of the excommunication of the English Church by the Pope. It was his act, not that of an

Œcumenical Council, and, therefore, belongs precisely in the same class as the case of the Orientals. Neither the "method" nor the "principles" are identical in any sense, with those of the Œcumenical Councils against

the ancient heretics.

Another point needs also to be taken into account. In the ancient Councils, whether Provincial or General, no sentence of excommunication was ever launched against an entire Diocese or a whole Province; much less a whole group of Provinces, thus including in one condemnation multitudes who had given no personal adhesion to error. "An heretic, after the first and second admonition reject," is the injunction of S. Paul. None but obstinate individuals were ever excommunicated by Councils. Any excommunication of whole countries, and entire Branches of the Church must, from the na-

ture of the case itself, be null and void.

The Church of England has never retaliated the excommunication of the Bishop of Rome in any manner whatever. On the contrary, she has, in her Canon XXX. distinctly declared that "so far was it from the purpose of the Church of England to forsake and reject the Churches of Italy, France, Spain, Germany, or any such like Churches, in all things which they held and practised, that, as the Apology of the Church of England confesseth, it doth with reverence retain those ceremonies which do neither endamage the Church of God, nor offend the minds of sober men; and only departed from them in those particular points, wherein they were fallen both from themselves in their ancient integrity, and from the Apostolical Churches, which were their first founders." The Church is, in Holy Scripture, compared to a House. In this House there are many apartments, all under the same roof, and we may regard each Branch of the Church as occupying its own apartment. may be quarrels among them, so that they refuse social intercourse with one another, and may even nail up the doors of communication between them; but no one of them can turn all the rest out of the House! Monsignor asks of us: "Why are they angered when individ-

uals leave the Protestant Episcopal Branch to perch on the Roman?" Yet no twig can be cut from one branch, even to be grafted on another of the same tree, without leaving a wound behind. And especially is this wound felt when the avowed reason given for leaving is, that the deserted Branch is declared to be no part of the Tree at all. He asks, again, whether "the Unity now presented by the 'Branch Theory' in any way resembles the Unity in the Trinity?" To which we reply that it resembles it quite as closely as the Roman Unity, which-as his edition of "The Faith of Catholics" has told us—permits the "liberty" of entertaining "discordant notions" on points "avowedly undefined by the voice of the Church." He asks, also, "How could the same individuals reasonably hold and practise 'Romanism,' 'Anglicanism,' 'Photianism,' travelling six months successively to Rome, London, and Constantinople?" To which we reply that if Monsignor Capel, "coming," as he tells us, "with commendatory letters from Cardinal Simeoni, Prefect of the Propaganda, to the Bishops, and exercising the ministry with the approbation and authority of the respective Ordinaries," thus "prima facie giving the assurance that his teaching is Catholic,"—if he can publish here in America, now, that "It is no article of the Catholic Faith to believe that the Pope is, in himself infallible, separated from the Church, even in expounding the Faith," even when the Vatican Council has decreed the contrary; we do not see why any one holding the ancient Catholic Faith might not be admitted to communion equally in Rome, London, and Constantinople, be his "private opinions" about Romanism, Anglicanism, and Photianism what they may.

One other part of Monsignor's case our limits compel us to dismiss more briefly than we should like. It might easily occupy a volume by itself. It refers to the history of the Church in England, before and after the Reformation. In "Catholic," after mentioning handsomely the Magna Charta (by the way, he utterly forgets to tell us

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how the Pope declared that to be "null and void," and what his excommunication of those who won it amounted to), he gives this charming general description of the ante-Reformation period: "Church and State grew side by side in harmony, rendering mutual aid, and formed 'Merrie England.' So was it until the accession of the Tudors, under whom a mighty and radical change was effected." What sort of "history" can Monsignor have been reading? For some hundreds of years before the Reformation it had been the law of the land that no prelate could even leave England to visit the Pope without first getting the King's permission; and no Bull or other official document could lawfully be brought into England except by the King's leave; nor could any appeal to Rome be lawfully made except by the sanction of the King. Moreover, there was an express prohibition that any one should receive or acknowledge any Legate sent by the Pope, and there was no reservation of any power in the King to dispense with this law. The terrible penalties of *Pramunire* were provided against all who should violate this Act, including the forfeiture of all lands and goods to the King. All these Acts were on the statute-book before the Tudors ascended the throne. Now, Henry VIII. had actually procured the legatine power for Wolsey, both of them knowing that it was against the law, and that the King had no power to dispense with the obligation of that law. Wolsey doubtless supposed that there was honor enough in the King to prevent him from taking advantage of his own wrong. But he found out his mistake! When the King changed his policy, he had the whole realm at his mercy—by law. He cunningly exercised the Royal power of pardon, so far as the laity were concerned, at once; and they, grateful for his mercy, were ready enough to join him in squeezing the clergy, who, as a body, had-by law-forfeited all their lands and goods to the King, besides being at his mercy for anything The clergy of no kingdom has ever been caught in so terrible a trap as that! They were willing enough to pay about five millions of dollars of our

money to save the rest of their property; and, besides that, no pressure of tyranny on the part of the absolute King could induce them to recognise his supremacy, except "so far as the law of Christ allows." But the entire machinery for this tremendous pressure was provided

in the days of "Merrie England."

The power of the Kings, too, in selecting the persons who were to be consecrated Archbishops, or Bishops, or even Abbots of the greater monasteries, was for many reigns exercised, as a matter of course, without recurrence to the Popes in anywise previous to their consecration or installation. This power was also exercised by the Kings of France and Spain, and by the Emperor of Germany. Indeed, even after the Emperor Henry IV. had been declared deposed by the Pope, he nominated Bruno as Archbishop of Treves, and he was consecrated-no "confirmation" or permission being given by the Pope; nor was any fault found with him at Rome for this, although he was censured for other things.\* The removal of obnoxious Bishops from their sees was also a common exertion of Royal power; and one King of England actually beheaded an Archbishop of York as a traitor, without asking leave of the Pope. He was the same King, too, in whose reign was passed the Act concerning the Burning of Heretics—an Act which should never be forgotten in describing "Merrie England." The foundation for the worst abuses of power during the Reformation period was laid in the legislation of the preceding centuries. And the most barbarous relic of that period, which still remains on the statute-book the Act of *Pramunire*—while it is a shame to the legislation of England, may be excused on the ground that, since the Reformation, there has been no attempt to put it in force against anybody. It was quite a lively Act before!

As to the undue preponderance of the civil power in some things, we have no defence to make, except only that it has never been such as to kill the Divine life of

<sup>\*</sup> Bossuet, Defensio, etc., Lib. III., Cap. vi.

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the Church. If there are hardships to be borne for a while, so have there been in other parts of the Church, and in other ages. As to appeals, let us look at a Roman case, in the time of Constantine. The Donatists—contrary to the Canons—carried their case to "the Churches across the sea." They appealed to the Emperor, who "delegated the discussion and terminating of it to Bishops." Now we have heard about the Court of Delegates in England, that, though it might be composed of Bishops, yet as they were delegated by the Crown, they had no power of jurisdiction except such as the Crown could give. Well, here is the Emperor doing the same thing! and one of his delegates is Melchiades, Bishop of Rome! Only think of a Pope being delegated by an Emperor to hear a case of appeal in a matter of schism! But even the Emperor did not delegate the case to the Pope alone, but to "many of his colleagues with him." After they had decided, the losing party, still dissatisfied, appeal again, and "yet, a second time, the most indulgent Emperor assigned other Bishops as judges, at Arles, in Gaul." This is stranger yet! An appeal, once settled by the Pope with his Council, is carried up to a much larger Synod of Bishops, at Arles, in Gaul!—and this by order of the Emperor! When the Donatists were condemned again there, they still persisted in appealing "to the Emperor himself," and "he, too, heard the cause, and pronounced Cæcilianus innocent, and them false accusers." So there was an appeal from the Pope and his Council to a much larger Council, and a further appeal from that larger Council to the Emperor, who gave the final decision. And the Emperor had "delegated" both the previous appeals to the Bishops who heard them! And this, too, when the said Emperor was not even a baptised man! Did the existence of courts like these prove that there was no spiritual jurisdiction in the Bishop of Rome, or any other Bishops, except what they received from the Emperor? Did such trials as these prove that the Church of Rome was, in those days, deprived of every shred of Divine jurisdiction? If not, how can cases

much less strong prove any such thing in regard to the

Church of England?

There are many other tempting points which Monsignor offers to us, but we have already much exceeded our limits, and must close. Our authorities have been taken almost exclusively from Romish writers—Bossuet, Thomassin, De Marca, Tillemont, Ffoulkes, Hefele—and most freely from that Mr. Allies whom Monsignor commends to our special confidence. We have omitted ten times as much as we have quoted; but probably the reader will think that we have given enough!

We have demonstrated that to be out of communion with the Pope of Rome is not the same thing as to be

out of the Catholic Church.

We have demonstrated that the Apostolic Succession is certain; and that the Papal succession is uncertain or rather, on their own theory, impossible.

We have demonstrated that the Church is founded upon the Bishops collectively, and not upon the Pope.

We have *demonstrated* that the strong phrases about the *Primacy* of Rome, do not prove the *Supremacy*.

We have demonstrated that phrases equally strong, about other Bishops, are not interpreted as proving a

Supremacy in them.

We have demonstrated that the ancient and Œcumenical Canons secure to the Provincial Councils, without any action of the Pope, the *entire* work of consecrating Bishops.

We have demonstrated that the Pope had no part in giving jurisdiction to any Bishops outside of his own im-

mediate Provinces.

We have *demonstrated* that the Pope had no canonical power of disciplining Bishops or others, outside of his own immediate Provinces.

We have demonstrated that there was nothing even resembling the right to order a new trial, before the

Sardican Canon was passed.

We have demonstrated that the first real power of hearing appeals at Rome, was granted by the Emperors at the request of the Pope and his Italian Council; that

request being an open acknowledgment that the Civil authority had *power* to *grant* the Spiritual jurisdiction

asked for.

We have *demonstrated*, out of the writings of Popes themselves, that the Canons are as binding upon *them* as upon any others; and that those same Canons shall so continue "till the end of the world."

We have demonstrated the difference between excommunication by a Pope, and excommunication by Coun-

cils.

We have demonstrated that divisions in the Church are one thing, and being cut off from the Church is a very different thing.

We have also demonstrated—in a few particulars—what sort of a "Merrie England" they had before the

Reformation.

And especially, we have demonstrated, from "The Faith of Catholics," published by Monsignor Capel himself, that it "is certain" that a belief in the infallibility of the Pope "is not an essential term of Communion;" that whether it belongs to the deposit of Faith or not, is left to "the private opinions of individuals;" that ever so many bulls of ever so many Popes may be thrown overboard by any Catholic, on the ground that "both Scripture and History testify against" the doctrine taught in them "being either a term of communion or a revealed truth;" that the Infallibility of the Pope is one of the "points avowedly undefined by the voice of the Church;" and that therefore "the opinions of men" have "liberty" for the "discordant notions" that have been entertained. All of which will be great news at Rome! What will "His Eminence Cardinal Simeoni," sav?

J. H. HOPKINS.

## DOCTOR JOHN FULTON TO MONSIGNOR CAPEL.

ONSIGNOR AND BROTHER IN CHRIST:-When your Pamphlet entitled "Catholic, etc.," was issued from the press, I was lying at the point of death in an illness from which I did not recover for several weeks. Before I could resume my usual work several more weeks elapsed in the weary process of convalescence, and, since then, the exacting duties of a parish priest have occupied my whole time. These circumstances will account for the fact that, until within a day or two, I had not read, nor even seen the interesting monograph in which you have done me the honor to refer to an imperfectly reported speech of mine, as if such an expression of my personal opinion were decisive of something more than my private personal opinion. But for the cause above named it is almost certain that I should have read your pamphlet, and it is possible that I might have replied to it long ago; for I have learned from the Rev. Dr. Hopkins and others that he and I, having been both named as persons who might properly notice the address which you had made to our Church, he promptly declined the task in my favor, and was subsequently induced to comment upon some parts of your brochure only on hearing that my life was despaired of.

Sometimes, since I have heard of this, I have wondered whether I should have ventured to assume the responsibility of the task which might thus have been laid upon me. A far better known and more competent person might well have hesitated to lift the gauntlet of so renowned a champion as yourself at a time when

your appearance could have been caused by no ordinary Great men are not brought out on slight necessity. occasions. Some important cause must have existed to induce a "Domestic Prelate of His Holiness, Leo XIII., happily reigning," to forsake the pious culture of that august soul in order to engage in controversy with the youngest and least learned of all Catholic Churches. Something like a crisis must be supposed to exist when a "Member of the Roman Congregation of the Segnatura" (whatever that is) abandons his post to occupy himself in the conversion or confusion of a handful of "Protestant Episcopalians." That a "Priest of the Arch-diocese of Westminster" should transfer himself to a country in which he has no commission implies the existence of a necessity so great in his opinion as to justify a disregard of the ancient Catholic canons which require all ecclesiastics to confine themselves to the Dioceses to which they canonically belong. Can it be possible that the accession of so many hundreds of Romanists in Louisiana and other parts of the United States to our Communion has excited alarm both at Rome and at Westminster? Surely nothing short of a profound sense of duty could have induced you to place yourself in a position which indicates the existence of some grave emergency, and which, to say the least, implies no compliment to the authorities and theologians of your Church in this country. It is interesting to observe that there exists both among the Clergy and among the laity of your Church here an intensity of national feeling, even in their Church affairs, which is very remarkable considering the invariable aim of Rome to uproot the nationality of Churches which obey her. The Propaganda sends us any number of foreign priests, but in ten years' time those very priests have become Americans; and, while they maintain "the Supremacy of Peter" and all that, they are not by any means so fond of Roman things and Roman ways as their education might lead you to suppose. Some years ago I was startled to hear a distinguished Roman Catholic clergyman "thank God he was an American

Catholic and not an Italian Catholic." Just how he could be a Roman Catholic without being an Italian Catholic was not perhaps quite obvious, but his meaning was clear enough, nevertheless. He meant to say that the ways of your Church in this country are more Catholic and more Christian than they are where Rome has more complete sway than she can have here. In this I believe he was entirely right. American Roman Catholics do not seem to be too proud of the observations which they make when they visit the "Mother and Mistress of all Churches." Therefore, the holding of national councils of your Church in the United States is grateful both to their love of country and to their love of religion; and by innumerable signs they show that the intervention in American affairs of any foreign priest, not sent by the Holy Father, and not belonging to any of the established Orders, is not regarded with complacency. When controversy is in order, it is to be supposed that they conceive themselves to be as competent to persuade or to confound neighbors with whose modes of thought they are conversant as any stranger possibly can be; and they are not to be blamed if they are of the opinion that it is for them, and not for strangers to designate the times at which controversy should be deemed to be in order. The truth is that in your Church, and indeed among all the Christian people of the United States, controversies among Christians seem by common consent to have been adjourned until a more convenient season than the present. devout men are appalled at the rising flood of materialistic atheism with which we are threatened, and all earnest men find their energies taxed to the utmost in repelling this common enemy of all religion and of all morality. For example, the Fathers of the Society of Jesus in this city, than whom no abler controversialists are to be found anywhere, are not devoting their splendid abilities and massive learning to the confounding of the faith of their Protestant neighbors, but are more nobly earning the thanks of their fellow-Christians by their masterly grappling with the scientific infidelity

which is so prevalent and so ensnaring. The good work they are doing is cordially recognised by Christian people of every name; and if their course is prompted by any other cause than that which appears on the surface, it must be admitted by the bitterest of their enemies that the success of their propagandism is as successful as it is adroitly veiled. It is not by controversy that the Archbishop of Saint Louis has earned and gained the high place which he holds in the affectionate honor of all classes of his fellow-citizens. It is by "pureness, by knowledge, by long-suffering, by kindness, by the Holy GHOST, by love unfeigned, by the word of truth, by the power of God, by the armor of righteousness on the right hand and on the left,"-it is by these and by such as these that the "ministers of God approve themselves" and win men's love for their cause. To me it costs no pang to recognise these sacred virtues wheresoever they are found, and I rejoice to think that it is perhaps because they are abounding more and more among your priests and prelates in this country that the love of controversy seems to have grown less and less among them. Of the fact that acrimonious controversy has declined there is no doubt; and you must have felt yourself impelled by some imperious necessity, or you would not have tacitly rebuked the priests and prelates of your Church here by inaugurating or renewing a contest in which they, in their wisdom, have not seen fit to be engaged at this time.

It is part of the responsibility assumed by him who opens a controversy that he lays upon the other side a moral compulsion to take up the challenge, or virtually to confess defeat. True, it is not to every one that such power would be conceded; but to a Prelate so distinguished in both hemispheres it cannot be denied. Your challenge confers an honor and demands a reply. Hence, if any general judgment of my equals, or any request of my ecclesiastical superiors had assigned to me the duty of replying to your tractate, however keenly I might have felt the danger and the responsibility of engaging with an adversary of your world-wide reputation, yet I

should not have declined the task assigned me. Theology after all is a department of letters; in the republic of letters it is not men's names or titles that count, but their facts and arguments; and in the kingdom of truth neither do the men count, nor their titles, nor their arguments, but the facts alone. Hence, if I had been called to repel your assault upon our Church, I should have depended upon facts, and very little upon the force of argument. In your brochure you have taken a different course, choosing and limiting the ground of your attack with great skill, handling your theme with the ease of an accomplished rhetorician, and perverting some facts, while ignoring others, with a calm content which shows how little facts concern you in the conduct of an argument. Undesignedly, I doubt not, your reference to my speech in the General Convention has applied to it a meaning which is very far from that which I had in making it. Some disclaimer of the interpretation which you have so publicly put upon it seems to me and to my friends to be due to truth. As I would not, however, intrude upon your notice for so slight a matter only, and as it is possible that, without some insight into the temper and habit of thought which prevails in the minds of many of us, you would hardly be able to understand the true convictions of men belonging to our Church who speak as I spoke, I will take the liberty to tell you in outline, and in outline only, how I should have set about my reply to you. As my method would have been radically different from that of Dr. Hopkins and not less different from that of Mr. Greaves, it may serve to show you that there are many ways in which your brilliant attack might have been met and perhaps repelled.

I.

1. At the outset I should have pointed out to you that the facts to be considered would not admit of the limitation implied in the choice of ground which you have so shrewdly made. It is true, as you say, that "Catho-

licity" is "an essential and exclusive attribute of the true Church:" but it is not exclusively so. There are other equally essential attributes of the true Church apart from which the question of Catholicity cannot be rightly or profitably considered. The Catholic Church, in a document which neither you nor I will dispute, has declared the notes of the true Church to be not only Catholicity, but also Unity, Sanctity, and Apostolicity. I could never have consented to dismiss the note of Unity with less than fifteen lines, and the note of Sanctity with less than fourteen lines of mere assertion, as you have done. Least of all could I have consented to pass by the note of Apostolicity without one single line of consideration. I should, therefore, have insisted that these three must of necessity be brought into the ground of debate; and then I should have undertaken to show that the Church of Rome is too seriously lacking in all of the four notes of a true Church to entitle her to summon us to surrender to her vaunted superiority. For I should have undertaken further to show that the Anglican Church, since her happy escape from Roman domination, has been more clearly possessed of every one of these four notes of a true Church than Rome is now of any one of them. Such a discussion must contain many painful references, but for these you would have been responsible; and, of course, you would not shrink from the responsibility to which you have called yourself.

2. The unity of the Church in the Apostles' days is described in these words: "And they" (i.e., the whole number of the baptised) "continued steadfastly in the Apostles' doctrine and fellowship, and in the breaking of bread, and in prayers." In other words, to receive the doctrine of the Apostles, to seek communion with them, and to join in their fellowship of public worship, entitled every baptised Christian to be included in the Unity of the Church; and to refuse communion with him would have been a breach of Unity. No ordinance of Christ or of His Apostles has ever abrogated this fundamental law of Catholic Unity. What shall be said, then, of the test of Unity applied to the Church of Rome,

which would reject from her Communion to-day every man who was baptised by the Apostles themselves, unless he would submit to regulations and profess to believe doctrines of which there is not a particle of evidence that the Apostles ever heard or ever thought? The Unity of the Church is always perfect; it cannot include more at one time and less at another; it always includes all who rightly belong to it; so that a man who is a saint to-day cannot, without change in himself, be a heretic to-morrow. What, then, shall be said of the Unity of the Church of Rome, which would to-day expel from her Communion S. Bernard, who was justly called "the last of the Fathers," unless he would recant his letter to the Canons of Lyons, in which he declared the modern doctrine of the Immaculate Conception to be without foundation in Holy Scripture, Catholic tradition or human reason? Again, the note of Catholic Unity at least implies that the Church, in whose behalf it is claimed, has not been historically conspicuous in the creation of schism. But will any one, having the facts before him, pretend to say that Rome was not responsible for the contemptible squabbles concerning local jurisdiction which led to the great schism between the East and the West? It is a pregnant fact that Rome is not to-day in visible communion with any one of the other ancient Patriarchates any more than with England. When that gigantic breach of Catholic Unity shall have been repaired, but not till then, may the Roman Church begin to claim the essential note of Unity. Again, you boast complacently of the unity of faith and morals which prevails among you; but the boast is ill-sustained by On what is the Jesuit doctrine of probabilism based but on the confessed fact that your doctors of moral theology maintain doctrines touching every possible human obligation which are not only diverse but reciprocally destructive? And in the matter of Faith, silence does not always signify assent. Nay, it is well understood that the Bishops who denounced the Infallibilists of the Vatican Council as "an insolent, aggressive faction," and who have since that time "assented"

to the action of the Council, draw a quite clear distinction between assenting and defining. The silence of the large and distinguished minority of the Vatican Council since the promulgation of its ill-omened decree is not an evidence of Unity or of moral unanimity, but of tyrannous oppression. Solitudinem facitis; pacem appellatis! Rome plants her heel upon men's hearts, and intellects, and consciences; and calls upon the world to magnify

her Unity!

2. As touching the note of Sanctity in connection with your Church, it would not have been necessary to rake up the scandalous lives of infamous Popes and Prelates. There is, indeed, a sorrowful abundance of such; and the inference would be but reasonable that a Church ruled by infamous Pontiffs cannot at the same time be conspicuous for Sanctity. To no such painful facts in the history of your Communion would it be needful to refer in detail; but that your Church shall be judged by her consistent corporate action and by her approved doctrinal standards, or, in other words, by her system, is too manifestly just to admit of reasonable objection. To these, therefore, I should have confined myself. Now, if Cæsar's wife ought to be above suspicion, much more ought the Bride of Christ to be utterly chaste in word as well as work; and yet you would hardly venture to deny what I am far within bounds in asserting, namely, that in the writings of some of your moral theologians, and particularly in the works of one who has been honored with the most emphatic approval that it is in power of the See of Rome to give, there are doctrines so shocking to the most elementary conceptions of morality, that merely to read them inspires both shame and disgust. It is not easy to imagine how a Church which permits and approves such teaching can be notable for Sanctity. "Not that which goeth into the mouth of a man defileth a man, but that which cometh out of the mouth, this defileth the man." This saying of our Saviour will apply to the teaching of Churches as well as to the conversation of individuals. No pure spring can vomit filth. But to leave this point, I maintain the thesis that the

Roman system of compulsory sacerdotal celibacy virtually bargains for a constant, though irregular quantity of clerical unchastity (and necessarily of lay unchastity along with it), the amount of which can never be known. We have the authority of our LORD Himself for saying that the power of continence is a gift which is not conferred on all men. It follows, therefore, that in any given class of men compelled to abstain from marriage there must reasonably be expected an amount of open or secret incontinence which will vary with times and circumstances, but which will rarely be absent from such a class of men. I cheerfully and thankfully admit the generally and deservedly high reputation of your clergy in all Protestant countries; but in most Latin countries now, and throughout the world before the Reformation, the whole history of compulsory clerical celibacy is one long, sorrowful, and utterly shameful confirmation of the inference which follows from our Saviour's words. And yet, in the face of this abundantly attested record, and in face of the fact that S. Peter himself, and probably all the other Apostles except SS. Paul and Barnabas, were married men, the Church of Rome, for the sake of certain obvious economical advantages, imperiously condemns her clergy to the temptations of a compulsory celibacy, and calmly accepts the varying percentage of incontinence which must attend her unnatural system. I venture next to affirm that the law and practice of the Roman Church concerning marriage have been and still are a shame and a scandal to all Christendom. In this assertion I have no reference to that long period of the middle age when preposterous regulations of the Church's enactment rendered it impossible for any man to be certain that his marriage was not incestuous or that his children were lawfully begotten. I freely admit that the Fourth Lateran Council removed a large part of that scandal which had become utterly intolerable; and that the Council of Trent carried the needed work of reform very much further. It is conceivable that a future council may hereafter perfect the work of Trent on paper; but what will be the use of it, if Rome continues to

claim, and daily to exercise a right to nullify all legislation on the subject by her system of dispensations to break the Church's most solemn law, such dispensations being unblushingly bought and sold at a fixed schedule price according to their enormity? What is the use now of the Canon of Trent forbidding a man to marry the widow of his third cousin, when he can obtain a dispensation from Rome permitting him to marry not only such a remote relative by affinity, but even his own aunt? What is the use of having any canonical impediments to marriage when any or all of them can be set aside "pro certis rationalibus causis," that is, according to one of your most eminent authorities on the subject, for no cause in the world except that Rome happens to have a particular reason for obliging some person to whom the laws of God and of the Church are irksome? That these flagrant facts are a grief and a shame to some of your most eminent Bishops cannot be unknown to you; and how a Church which thus unblushingly sells for money its license to violate the sacred laws of marriage can justly claim for itself the note of special Sanctity you would not find it easy to show. But chastity is not the only virtue included in the note of Sanctity; Charity, which is greater than either Faith or Hope, cannot be left out of it. Cruelty and sanctity are not compatible. A cruel Church cannot be a holy Church; and the Roman Church has been the cruelest Church in Chris-It will not do to say that the horrors of the Inquisition were the hideous work of a semi-barbarous age; for it is the boast of Rome that she is "semper eadem" and that she cannot change. It is assuredly the fact that in this particular she has not changed. The Inquisition was of her creation. It was maintained with all her power. Its atrocities did not cease until this present century, nor then with Rome's consent. Its horrible principles have never been repudiated. On the contrary, they were emphatically re-enunciated by Pius IX. in his famous "Syllabus," less than twenty years I learn that you yourself have quite recently been lecturing in defence of the Inquisition and its principles.

I cannot wonder at that; for whenever and wherever they shall have the power, it will be the duty of Roman Catholics, according to the "Syllabus" of an infallible Pope, to restore the Inquisition and return to the good old way of mercifully burning heretics to death, so as "to prevent the effusion of blood!" And the Church which invented, and which declares that it would still, if it dared, employ this frightful hypocrisy of cruelty claims before God and man a special character of sanctity!

Proh pudor!

4. In the matter of Apostolicity the Church of Rome has done its best to destroy all but the bare name of the thing. It is not possible for any writer of your Church to discuss the subject without virtually refuting his own ar-You, in your late tractate, have conspicuously done so. It is true that you maintain the ordinary Roman interpretation of Our Lord's figurative saying "Thou art Peter," etc., but the very moment you begin to appeal to the facts of Apostolic history, your theory begins to fall to pieces. However it may suit the Papacy of Pius IX., there is nothing like it to be found in the Acts of the Apostles. There we find the Apostolate acting on occasion as a College, and then not under the presidency of S. Peter, but of S. James, who occupied the See in which the Apostles were convened. In their several spheres the Apostles of the New Testament story were equals. Not only is there no evidence that any one of them exercised authority over the rest, but we have S. Paul's indignant declaration that he would not have submitted to such a claim, if it had been preferred, "no, not for an hour!" In your tractate you repeatedly tell about "the Apostles," but the unconscious naiveté with which you transfer to S. Peter alone, and through S. Peter to the Pope alone, all that the New Testament, according to your own showing, ascribes to "the Apostles" is a singular but most significant admission that in the Church which you represent the Apostolate has no place, except so far as the functions of the entire Apostolic College have been usurped by the Papacy. In terms you affirm that the Episcopate "represents"

the Apostolate; but in your theory of the Church, as in the actual Church of Rome, the Episcopate has no place corresponding to the place of the Apostolate in Apostolic times.\*\*

Moreover, it would be easy to show that nothing in the history of the Papacy has been more conspicuous than its consistent degradation of the Episcopate in theory and in practice:—in theory, by teaching that it is an office of the Priesthood, rather than the Order which confers the Priesthood; and in practice, both by reducing the Bishops to the position of mere Vicars at will of the Roman Pontiff; and, as at the Vatican Council, by subjecting all the genuine Bishops of the Roman Obedience to a horde of fictitious Bishops of defunct Sees, mere creatures of

<sup>\*</sup>After writing these last sentences I had some fears least my language might be too strong, and I was about to modify them accordingly, when I discovered in your 'Rejoinder' to Dr. Hopkins the following passage, in which my words are more than justified with a simplicity which is truly admirable:

<sup>&</sup>quot;Christ has established two indestructible elements in his Church:

<sup>&</sup>quot; $(\iota)$  The Apostolate, consisting in universal jurisdiction derived directly from Christ,

<sup>&</sup>quot;(2.) The One Episcopate, exercising corporate jurisdiction in the whole world.
"The first resides in the Successor of S. Peter, who is, therefore, the Supreme Governor, the Supreme Teacher of the Church, with whom there must be communion in order to be in the Visible Organic Body, the Fold of Christ.

<sup>&</sup>quot;The second resides in the body of Bishops, conjointly, who thus together represent the Apostolic College, each Bishop not having a share of the Episcopate, but a part in it. The Episcopal jurisdiction is plainly subordinate to the Apostolate."

In this brief passage you set forth a theory to which I imagine not all of your divines would be willing to subscribe. It includes these plain admissions, not to insist on any corollaries which must flow from them.

<sup>(1.)</sup> You admit that in the Roman Church there are no Apostles. Whereupon one might fairly ask why you appeal to the New Testament to show the commission which Christ gave "to the Apostles whom He had chosen."

<sup>(2.)</sup> The Apostolate, according to your theory, now exists in the Roman Church only in the Popes as successors of S. Peter. Under which head one is reminded of a certain saying of our Lord: "Were there not ten cleansed? but where are the nine?" What has become of the rest of "the Apostles?" When, where, how, and by whom were they abolished?

<sup>(3.)</sup> The Apostolate, you think, consists in the universal jurisdiction of one Bishop over all the rest; which is singularly unlike the jurisdiction exercised by "the Apostles" over Peter, when "they sent" SS. Peter and John on a particular mission to Samaria.

<sup>(4.)</sup> You frankly avow that the Episcopate of the Roman Church is not the Apostolate. It is not for us to deny an assertion of the truth of which you ought to be better informed than we; and yet one wonders how the Episcopate of the Roman Church can confer the Apostolate on a man by admitting him to the Episcopate. If you, Right Reverend Sir, were to be elected by the Conclave of Cardinals to the Popedom, you would be forthwith consecrated to the office of a Bishop by the hands of Bishops. Precisely how your admission to the Episcopal Order could invest you with the Apostolate, unless Bishops are Apostles, is not apparent.

the Court of Rome, supported by a number of mitred monks who are destitute of even the poor pretence of a spurious Episcopate. But, were we to admit that any Church can have the right to subject the Apostolic College to a single member of it, how does the attitude of the Papacy compare with the Apostolic bearing and demeanor of S. Peter? That he was chief among his equals nobody denies; that he ever claimed to be supreme among them no witness of antiquity affirms. His style of address was unaffectedly simple:-"the elders which are among you I exhort, who am also an elder." Such was the style of "the Prince of the Apostles," and his conduct was answerable thereto. For, when the Centurion Cornelius cast himself at the feet of the Apostle, and would have paid him the exaggerated worship of oriental reverence, S. Peter rejected the intended honor. "Stand up," were his words, "I myself also am a man." In phrase it is true that the Pope equals the humility of Peter when he calls himself "servus servorum Dei;" but is the papal ceremonial answerable thereto when the Pope is exalted upon the Altar of God, and the prostrate Cardinals are compelled to pay him the homage of adoration? \* S. Peter mildly submitted to be rebuked by the youngest of the Apostolic College, who "withstood him to the face because he was to be blamed." Do you think that fidelity to the Faith committed to him would have permitted S. Peter to submit to censure in the presence

<sup>\*</sup> Do you think S. Peter would ever have permitted this blasphemous prayer to be made to him?

<sup>&</sup>quot;Sanctissime et Beatissime Pater, Caput ecclesiæ, Rector Orbis, . . . cui claves Regni Cœlorum sunt commissæ, quem Angeli in cœlis reverentur, portæ inferorum timent, totusque mundus adorat, nos Te unice veneramur, colimus et adoramus, et nos omniaque nostra paternæ et plusquam divinæ dispositioni ac curæ submittimus."

How does that sound in English, Monsignor? Let us see.

<sup>&</sup>quot;O most holy and blessed Father, Head of the Church, Ruler of the World,
to whom the keys of the Kingdom of Heaven have been committed, whom
the Angels in Heaven revere (before whom) the gates of Hell are afraid, and whom
the whole universe adores, we venerate Thee supremely, we worship and adore Thee,
and to thy paternal, and more than divine care and disposal we commit ourselves
and all that is ours."

Monsignor, if any one had ever addressed such blasphemy to S. Peter, he would have said, as the Master once said to himself: "Get thee hence, Satan, for thou savorest not of the things which be of God." "Stand up, for I also am a man!" "Thou shalt worship the Lord thy God, and Him only shalt thou serve."

of his subordinates if he had supposed himself to be possessed of the infallibility claimed for the Roman Pontiff by the Vatican Council? "When the Apostles which were at Jerusalem heard that Samaria had received the word of God (through the preaching of Philip) they sent unto them Peter and John," and S. Peter went with S. John on the errand assigned to them by the authority of their brethren. Thus did the conduct of S. Peter prove that he was willing to be, and not merely to be called, a servant of the servants of GoD; but how does that conduct compare with the pretensions of the Popes to the allegiance and obedience of all other Bishops? There is no comparison between them. It is a case of contrast; and so flagrant is the contrast, that, in view of that alone, one might be content to leave it, together with your consistent degradation of the Episcopate, as sufficient objections to any high claim on behalf of Rome to the attribute

of Apostolicity.

4. And so, at length, omitting a hundred points which might be named, and entering into no elaboration of the few which have been mentioned, I might have consented to take up the note of *Catholicity*, to some few elements of which you have chosen to call the special attention of our Communion. As might have been expected from a writer of your eminence, you have not enlarged on the imaginary Catholicity of statistical majorities. Between men of ordinary information, to say nothing of professed theologians, there is no need to do more than exchange snuff-boxes (with a harmless regret that such an exchange is uncanonical) while people, whose time is of no use to them, discuss the Catholicity of arithmetic and geogra-Yet time and space have necessarily some connection with Catholicity in a world like ours; and the genuine signs of that Catholicity which you rightly describe as "an essential and exclusive attribute of the true Church," are included in the well-known rule of S. Vincent, "semper, ubique, ab omnibus," to which you have too briefly referred; so that, whatever is said to be Catholic, must be proved to have at least existed in all ages of the Church, and that with universal moral una-

nimity of consent or allowance. Lacking any one of these three evidences of Catholicity, a doctrine or practice may be true in the one case, or it may be lawful in the other, but it cannot be justly called Catholic; to adhere to it may be no sign either of heresy or of schism; but to reject or discard it, cannot possibly involve a forfeiture of Catholicity. This is the plain, natural sense of the dictum of the Roman Catholic S. Vincent of Lerins. Let us apply it, in the matter of doctrine only, without carrying the investigation further in this connection.

5. Let me ask you to read the following decree of the greatest of all the Synods of the undivided Catholic Church, by which you and we to-day are equally bound. At the assembly of the six hundred and thirty Bishops who composed the Ecumenical Council of Chalcedon, it was found to be sufficient to the complete refutation of the Eutychian heresy that it should be compared with the plain words of the Nicene Symbol, and the more complete formula of the Council of Constantinople. Thereupon, after the reading of both these documents, and after an explicit condemnation of the heresy of Eutyches, the Fathers united in the following decree:

These things, then, having been expressed by us with all possible precision and carefulness, The Holy and Œcumenical Synod decrees that it is not lawful for any man to propose, or compile, or compose, or hold, or teach to others, any different Faith. But those who presume to compose a different Faith, or to propagate, or teach, or deliver a different Formula to persons desirous of turning to the knowledge of the truth from heathenism, or Judaism, or any heresy whatsoever, if they be Bishops or clergymen, shall be deposed, Bishops from the Episcopate, and clergymen from the clergy; and if they be monks or laymen, they shall be anathematised.

Right Reverend Sir, this decree of an undisputed General Council is to-day the unrepealed Constitutional law of the Catholic Church of Christ; and every Church which bears the Catholic name must be prepared to show that she is not justly liable to the sentence of excommunication pronounced upon all who, under any circumstances, shall presume to impose, as conditions of communion, any doctrines except such alone as are

clearly involved in the Nicæno-Constantinopolitan symbol. Most assuredly a Church which arrogates to itself the exclusive attribute of Catholicity, ought at least to be able to show that it has not been excommunicated from the Catholic Church.

Now, unless the decree of Chalcedon is merely a dead letter, every Bishop and clergyman of the Roman Church who has been morally responsible for her innumerable additions to the Faith, is lying to-day under an unconditional sentence of excommunication of the Council of Chalcedon. I beg you to observe that, in making this statement, I am entering into no discussion of the truth or falsehood of the doctrines which Rome has promulgated since the days of Chalcedon. not necessary; for, if every one of them were true, that would not make them part of the sacred deposit which is essential to Christianity, and which alone will bear the application of the rule of S. Vincent. Into the question, therefore, of their truth or falsehood there is no occasion to enter. If they are not at least implicity contained in the doctrine of Chalcedon, they are no part of the Cath-Whether true or false, they are novelties; and if they are proposed as conditions of communion, all who so propose them are under the sentence of Chalcedon for un-Catholic conduct.

I have no desire to make the case against you any stronger than truth compels me to make it. I ask you only to observe that the following things, when compared with the Creed of Chalcedon, are *ipso facto* convicted of being novelties; and every one of them is contained in the Creed of Pope Pius IV., to which every Bishop, at his Consecration, is required to swear fidelity.

(a.) The seven Sacraments and the whole doctrine of Trent concerning the same.

(b.) The Roman theory of the Sacrifice of the Mass.

(c.) The doctrine of Transubstantiation.

(d.) The doctrine of the entirety of the Sacrament of the Body and Blood of Christ, though received in only one kind.

(e.) The doctrine of Purgatory;

(f.) Of the Invocation of Saints;(g.) Of the Veneration of Relics, and of Images;

(h.) Of Indulgences;

(i.) Of the Papacy; the Bishop of Rome being recognised as "Successor to S. Peter, Prince of the Apostles, and Vicar of Jesus Christ."

(k.) The whole body of doctrine and discipline set

forth by the Council of Trent.

(1.) Every one of these novelties is declared, under oath, to belong to the Catholic Faith, "without which no one can be saved."

To this list must now be added:

(m.) The doctrine of the Immaculate Conception promulgated in 1854.

(n.) The definition of the personal Infallibility of the

Pope by the Vatican Council in 1870.

To this already sufficiently long list it would be easy to add many other items doctrinal and practical, such as the Confessional, the denial of the Cup to all except the Celebrant of the Mass, the use of an unknown tongue in public worship, Dispensations to violate the law of God concerning marriage, etc., etc., but the list is sufficiently long without these. Let me repeat that it is a list of manifest novelties, with the truth or falsehood and the good or evil of which I have nothing to do in this connection. It is enough that they are *novelties*, and that to set them forth to be believed or to be done, as a condition of communion, is to incur the condemnation of the Catholic Church according to the decree of an undoubted Œcumenical Council of the Catholic Church. That, Monsignor, is precisely what your Church has done. from standing unquestioned as the Catholic Church, she herself has forfeited her right to be recognised as a Catholic Church. It is but right to add, however, that the Creed of Pope Pius IV. does not call the Church of Rome the Catholic Church. That extremity of audacity was reserved for uncautious propagandists. The Creed of Pope Pius calls the Church of Rome "The Holy Roman Church," and "The Catholic Apostolic Roman Church."

The Roman Church, so described, together with all other Churches, is "The Holy Catholic Church" of the Fathers of Trent and, therefore, also of Pope Pius IV.

If I should thus insist that all four of the essential notes of a true Church must be examined, and that your own Church must be subjected to the test of all of them before admitting her right to challenge our submission to her. I should not for a moment decline an equally rigid examination of the justice of our claim to be regarded as a true Church of Christ. To the same measure as we have proposed for you are we ready to conform ourselves, and whereinsoever we may be found to be wanting, we shall be ready, with God's help, to repent and amend our ways. We are well aware that our administration of the Catholic system committed to us is not all that it ought to be; there are some faults that trouble us sorely in our work; but we are not prepared to rid ourselves of any of them by accepting what we must consider the far greater faults of your system; certainly not, unless we should find, on an impartial examination of the facts, that we are more defective than you are in the essential notes of a true Church. we have found no reason to think that we are so.

I. If we apply to our Church the test of Unity, we find, in contrast with the facts existing in yours, that no man receiving the doctrine of the Apostles of Christ and desiring to enjoy the fellowship of the Church on the conditions imposed by the Apostles in like cases, would be debarred from our Communion by any laws or regulations of our Church's making. No breach of unity in that direction can be justly alleged against any branch of the Anglican Church. The humblest communicant of any Catholic Church in any of the ages would find himself repelled from our Altars by no novel invention, whether of Faith or of practice. Again, we find with joy that not one schism in the history of the past can be justly laid to the charge of the Anglican Church. It is true, and we greatly lament it, that we were involuntarily involved by our connection with the Roman Patriarchate, in the great schism between the East and the West; but

that was our misfortune, not our fault; and if the separation still continues between us and the Orientals, we feel that the cause does not lie with us. As to the separation between you and us, we cannot suffer you to forget that it is altogether of your making. We never excommunicated you. You excommunicated us for reasons which the Canons of the Catholic Church would not justify. We are in no sense rebels against you; you are in rebellion against the fundamental laws of Christendom. Whenever Rome is ready to content herself with the Primacy to which she is entitled as the Chief See in the Patriarchate of the West, I trust and believe that the Anglican Churches will concede that Primacy. Though it has been fairly forfeited by Rome's attempt to subjugate them, they could not do otherwise. In point of fact they do so now. At present, however, Rome is not content with Primacy; she claims Supremacy; and to concede that would be treason to the Catholic Church. The Anglican Churches have not forgotten the deep debt of gratitude which they owe to Gregory the Great, of whom our Saxon forefathers used to say that he "sent us Baptism." They have not forgotten the benefits of the Papacy as the representative of Western Christendom during many centuries. Not even the recollection of many an injury suffices to blot out the memory of ancient kindness and communion. Whenever you are willing to accept the Primacy of rightful honor which ancient canons recognise as yours, it will be willingly conceded; or, in other words, whenever you are ready to offer us such terms of intercommunion as one Catholic Church may lawfully, under the ancient canons, propose to another, the schism between us will be at an end. We shall accept precisely those conditions, and none other. Until you are prepared to be content with what the canons of the Catholic Church concede to you, you, and not we will be responsible for the schism. Until God's good time for bringing us together again shall come-and that it will come I have no doubt in the world—we must be satisfied to be forbidden to approach your Altars, while to our Altars

we shall never fail to welcome any child of yours who may otherwise feel free to come there. Again, if there is apparently much greater diversity in matters of opinion among us than among you, it is because we pretend to no right to impose upon our people, as conditions of communion, any more extensive articles of Faith than those which we are authorised to impose by the Council of Chalcedon. That certain disadvantages attach to a frank acceptance of the restraint of that Council is unquestionably true; but we are comforted by thinking that even those disadvantages are easier to be borne than the sentence of excommunication to which we should otherwise subject ourselves. After all, the supposed disadvantages are less than you might think; and, to our minds, they are incomparably less than any system of tyrannical oppression from above, or of disingenuous evasion from below. At any rate the differences among us involve no lack of unity in truly Catholic Faith, since all of them are concerned with matters which the Catholic Church has declared are not to be proposed as matters of Faith.

2. If we next apply to the Anglican Church the test of sanctity, we have no reason to blush for our Mother. She has no way of canonising her holy ones, and there are some forms of extraordinary sanctity which perhaps she does not so highly value as her elder sisters of the Catholic Church value them. For these reasons she makes small display of the sanctity of her members; but I can nowhere learn that display of sanctity is a guarantee of its reality; and this at least is beyond question, that among the people whose morals have been formed, even indirectly, by the Church of England there prevails a general veracity, an honesty, a household virtue, and an earnest spirit of religion which would do no discredit to any age or province of the Church. Negatively speaking, the Anglican Church has done no outrage to morals of any sort. None of her Doctors, in the use of the large liberty allowed them, have done so; and of the Church herself it may be said without contradiction, that she has never in her corporate capacity sanctioned

one crime nor justified one wrong. The State, acting in the name of the Church, and applying the evil lesson it had learned from Rome, did for a time after the Reformation treat Dissenters with disgraceful severity; and Laud (who, it is said, would have been glad to restore the Church of England to the Obedience of Rome) did undoubtedly earn a bad eminence by his eager pursuit and persecution of Nonconformists. For these things the State and the man were to blame; no corporate action of the Church either enacted or justified the To the people of England, fostered by the Reformed Church of England, it is due that, all the world over, the right of religious liberty is recognised, save and except in the "Syllabus" of Pope Pius IX. If we glance at the more recent history of our Church throughout the world, we find it fairly gleaming with its glorious record of missions and martyrs, and with a general revival of religion at home and abroad. It is not for us to boast: "Non nobis, Domine!" But for that of which it is not lawful to boast it is a duty to give thanks to GoD; and the children of the Anglican Church have ample reasons to give thanks to God that the Spirit of sanctity has been poured out upon her in these last years exceeding abundantly.

3. The Apostolicity of the Anglican Churches is conspicuous in the simplicity of their internal order, and not less so in the even-handed justice and equality of their relations to each other. When our writers show, in much the same way as yourself, the power and authority given by the Head of the Church to "the Apostles," and when they then affirm, as you cannot do, that the same Apostolate is continued in the Episcopate, they are not obliged forthwith to explain away more than half of what they have been saying, in order to make the facts of our present constitution square with the constitution of the past. As a matter of fact, to-day, in every branch of the Anglican Communion, we find the College of Bishops exactly corresponding with the ancient College of Apostles. As in the College of Apostles, so in the College of Bishops, we always find that some

one is recognised as chief, so that all things may be done decently and in order. Nowhere do we find any supremacy of any one over his fellows. I believe it may be said that our actual system in these respects corresponds as precisely to the system of the Apostolic Church as it would be possible for the system of any institution in the nineteenth century to correspond to the same system as practised in the first. In the relations of our Mother Church of England to her sister Churches in Ireland and Scotland, to the colonial Churches, and to our own Church in the United States, there is an exact reproduction of the system of the Apostolic Churches, and of all the Churches of the primitive age. Each one of them all is perfectly autonomous in the administration of its internal affairs; but, when occasion requires, there is found to be no difficulty in convening an assembly of our whole Episcopate. Nothing more is necessary than to respect the old rule that "the ancient customs shall prevail," and all goes well and easily. As we are ready to meet with all our brethren of the Church throughout the world on the conditions of primitive Unity, so in our relations with each other we need no elaborate rules to prevent schism Apostolical simplicity, or, if you prefer in the body. the phrase, simple Apostolicity is found to be sufficient.

4. With respect to our Catholicity we find no occasion for alarm. We hold the Catholic Faith in its integrity, as it was set forth by the undisputed General Councils. We have taken nothing from it; and, obeying the unrepealed law of Chalcedon, we have added nothing to it. In Discipline we find ourselves perfectly at home among the ancient canons of the Catholic Church. In the accidental matters of local custom, we have our ways, as the early Churches had theirs, and some of ours are not improvements; but there is no essential difference between the system of Discipline which actually exists among ourselves and that ancient and unquestionably Catholic system of which we find the evidence in the ancient canons. Even so of our Worship. Some among us would, perhaps, prefer a

more ornate ceremonial than our Church has thought to be either necessary or desirable for people of the English race; and it may be admitted, as one of the things which we ought to amend, that the system of Worship which our Church has actually appointed is not as faithfully or fully carried out among us as it ought to be. Nevertheless, we are confident in the belief that the Worship of the Anglican Communion, as it is prescribed in the Book of Common Prayer, is not only simple and sublime, but as utterly Catholic as that of any ancient Liturgy.

#### III.

Because we are thus glad to recognise in the Church of our Baptism and of our love the four notes of a true Church very much more clearly than in yours, it does not follow that we would declare that yours is no longer a true Church of Jesus Christ. From the First Epistle of S. Paul to the Corinthians we may well learn to be slow in concluding that any Church of God has ceased to be included in the Body of Christ. Though the Corinthian Church had marred its *Unity* (for there were divisions among them), and though it had forfeited its reputation for Sanctity by tolerating shameful fornication, and though it had cast away the note of Apostolicity by forsaking the ways of the Apostle almost immediately after he had left them, and though it had erred from the Catholic Faith by not firmly holding the resurrection of the dead, and though it had mutilated and profaned the very mystery of the Holy Eucharist, and though it would appear that its ministry had utterly neglected the gift of God which was in them; nevertheless, and notwithstanding all these grievous faults, the Apostle calls them "the Church of God which is at Corinth," and thanks God for other evidences that the grace of God had not forsaken them. What a lesson have we here of Apostolic patience! What a rebuke to that furious spirit of cursing which from time to time has taken possession of the Churches of Christ! There-

fore, when we consider how your Church has obscured and tarnished the glory which was once hers, it would be our duty, if she would suffer us so to do, to turn our backs upon her faults, and hide them from our eyes. And when, by the enormity of her pretensions and by the arrogance of her claims, she compels us to investigate the foundation of the former and the validity of the latter. so as to ascertain what fidelity to God and to the Catholic Church requires of us, our task is ended when our duty has been ascertained. We are not eager, even if we pretended to the right, to pronounce judgment upon you or upon your Church. We abominate, as contrary to all right reason and the first principles of Christian charity, that foul misuse of language which describes the Church of Rome as "Anti-CHRIST." We hold, and we desire to hold, no brief against you. On the contrary, we rejoice to recognise every enrichment of the grace of God which is manifested in you. We hold your Church to be included in a Unity which is greater than your Church, or any single Church, and which embraces you in spite of all the wounds you have inflicted on your brethren. We praise God for the triumphs of His grace in the *sanctification* of so many members of your Church. Some sorts of Sanctity which you hold in high esteem we may rate less highly; but, when I have heard a dying monk preaching the Gospel of Christ-and a very simple Gospel it was-to the Indian people of Lake Superior, in the midst of monuments of Jesuit missionary zeal of centuries ago, and when I have been nursed by the hands of your holy women, and (who knows?), perhaps, restored to life in answer to their prayers, why should I be slow to see the grace of God in these His holy servants? Why should I desire to think unkindly of the Mother at whose breasts they have been nourished? And then, who would wish to forget that you have the Apostolate, greatly as your system distorts it? Or why should we be anxious to forget that the Catholic Faith is still yours, in spite of all the novelties and all the aberglaube with which you have overlaid it? Monsignor, this was once the rule of conduct towards a brother who

had abandoned the ways of Apostolicity: "If any man obey not our word by this epistle, note that man, and have no company with him, that he may be ashamed. Yet count him not as an enemy, but admonish him as a brother." Why should not the same rule prevail among the Churches of CHRIST? I believe, Right Reverend Sir, that the time may not be very far off when they all may be one, outwardly before the world as well as inwardly through CHRIST, the great Head in whom they are spiritually one even now. If the learned men, the scholars, the theologians, the divines, the pastors of all of them would devote themselves for but a few years, not to the rending of each other like enemies, but to the charitable work of considering how their differences might be reconciled, how can we doubt that GoD would bless such efforts of His servants? Might it not at least be tried? Surely controversy has not thus far served to draw us to each other. Is it not conceivable that conciliation might have more success? To my mind, it was a great misfortune to Christendom at large, and not to the Church of England only, that after John Henry Newman had shown in the celebrated "Tract XC" how a serious effort to reconcile differences might be hopefully made, he himself abandoned the task, and left that charitable work undone and almost untouched. That, Right Reverend Sir, was long before my day. It was nearly a score of years later before I read Tract XC, and it is now too long ago since I read it for me to recall all that it contained; but I have never doubted that some of the principles of that tract will yet be found of service in the reconciliation of the separated Churches of CHRIST. It assumes that reconciliation, not the subjugation of one to another is desira-To that end it maintains that apparent differences are not to be presumed to be irreconcilable; but that, on the contrary, the utmost latitude of honest explanation must be permitted in the interpretation of formularies which appear to contradict each other. In every case the plain grammatical sense of doctrinal formulas must be taken, and no corollaries or apparently logical consequences must be pressed unless they are explicitly main-

tained. By such a method many serious difficulties might be overcome. The principles of Tract XC, applied to the interpreting of the XXXIX Articles, tended to show that the differences between the doctrine therein contained and the doctrine of the Council of Trent are not necessarily irreconcilable. You know what an alarm the Tract inspired in the average Protestant mind, and what unworthy charges of double-dealing and insincerity were cast upon poor Newman and the Tractarians in general because of it. It was all very silly and very shameful, and one cannot wonder that Newman felt himself almost compelled to abandon a Church in which he could no longer remain without submitting to such outrage. vet I believe that if he had but had the courage to remain at the post to which the providence of Gop had called him, and there to fight the good fight which he had been inspired to begin, he might have won a victory for God and for the Church which he has not won as a Cardinal of Rome. It is of no importance in this connection, and yet it may be well to say, that I am, perhaps, one of those to whom the removal of doctrinal difficulties is of the very least personal importance. I find myself perfectly satisfied with the Catholic Faith as it has been set forth by the ancient Councils of the Church. I believe many other things, of course; but whatever else I believe, I believe on very different grounds. Nevertheless, I am frank to declare that nothing I have ever read has inspired me with greater admiration than the canons and decrees of the Council of Trent. When I reflect on the miserable condition of the Church in all parts of Europe when that Council was convened, the universal outcry for reform, the reluctant hesitation in some, and the angry aversion in others, with which the work of reform was begun, I marvel greatly at the wisdom, the moderation, the firmness, and the general fidelity to truth by which the acts of that venerable assembly were characterised. It is a matter of infinite regret that England was not represented in that great Council. The reason is said to have been that the invitation intended for the Anglican Bishops was kept from them by some unworthy

intrigue; and if so, grievous was the sin. If the English Bishops had been present at Trent, it is probable that the work of the Council might have been carried further, so that, while the continental Churches would have been satisfied, the Church of England need not have been repelled. It is pleasant to be informed on high authority that the Fathers of Trent refused to declare the Bishops constituted by or under Elizabeth not to be true Bishops, so that the Church of England received no wound from them. It is almost pitiful to think of the things that might have been, and of the other things that might not have been, if the English Church had been present by

representation at the Council of Trent.

The facts, however, which we have to face are these: that the Church of England was not represented there, and that her lack of representation was caused by no fault of hers; so that she is not bound by the decrees of a Council in which she had no representation. since the same Council was not an Œcumenical Council of the whole Catholic Church of Christ, but only a general council of the single Patriarchate of the West, and did not even include the whole of that, neither its canons of discipline nor its definitions of doctrine can rightly challenge the adhesion of the rest of Christendom. In face of the unrepealed decree of Chalcedon, I do not believe it would be lawful, even if it were possible, for the re-union of Christendom to be proposed on the basis of the Tridentine reformation, or on any other mediæval or modern basis of adjustment. The primitive unity of the Catholic Church can be restored on none other than the primitive Catholic conditions. Let those be recognised by all, and every schism is forthwith at an end without need of pour parlers or diplomatic negotiations. Hence, I am compelled to acknowledge my belief that the particular scheme which dazzled Newman's imagination was neither just nor practicable. But, were it otherwise, the elements of the problem have been much enlarged since The difficulties in the way of re-union have been indefinitely increased by the events of the reign of Pius IX. of most unhappy memory. The promulgation of

the doctrine of the Immaculate Conception of the Blessed Virgin by his sole authority, the monstrous declarations of the "Syllabus" which he published, and the decree of the Vatican Council concerning the personal infallibility of the Pope, are three barriers to the re-union of the Churches which I believe will never be surmounted. Never, till these un-Catholic monstrosities have been discarded, or ignored, will re-union be possible. Are we, therefore, to despair of ultimate re-union? God forbid! The good citizen never despairs of the Republic; much less ought a Christian man to despair of the Church of CHRIST. Not all that has happened either before or since the beginning of the Pontificate of Pius IX. should cause despair. If there were no other ground of hope known to us, do we not know that the Vatican Council is not yet closed, and that its decrees are still in its own power? Or, if that be disputed, is it not true that the more extreme your theory of infallibility may be, and the more blindly you maintain the exclusive supremacy of the Pope as the sole existing representative of the Apostolate, the more readily must you admit that it is in the power of any Pope, at any time, when acting as Pastor of the whole Flock of Christ, to set aside every cause of division which has ever arisen in matters of Faith by commanding that the old decree of the Council of Chalcedon shall thenceforward be observed. That is not very likely, you may well say; and yet it would not be half so wonderful as some other works of God. if you say that a Pope, who should deny the doctrine of infallibility, would be a heretic, and his decree of no effect, then the answer is that the contemplation of such a possibility is, on the same ground, a heresy. For how shall it be possible for an infallible Pope to be a heretic? Besides, if a validly elected Pope should make such a decree, it would not be necessary to deny any doctrine whatever, but only to enjoin a strict observance of the Chalcedonian decree in the reconciliation of Separatists, or, in other words, to forbid any doctrine to be imposed as a condition of communion except that which is contained in the Nicæno-Constantinopolitan Creed.

such a decree every infallibilist would be bound to conform, and yet it would at one stroke remove every existing doctrinal obstacle to the re-union of Christendom. So easily might that apparently insuperable difficulty be set aside. I am firm in the belief, that, if the hearts of Christian people were but filled with the spirit of Unity, the Great Head of the Church would speedily grant reunion in answer to their prayers; but, if it is inevitable that we must, for the present, remain apart from each other, I hold it to be at least our duty to add nothing to the existing causes of division. We ought never to rejoice in proving each other to be worse, or in any way more hopelessly defective, than the facts compel us to believe beyond all peradventure.

#### IV.

It is for this reason, Monsignor, that I deprecate controversies between your Church and mine. The delight of controversy is too apt to "rejoice in the iniquity" which it can attribute to the other side rather than to "rejoice in the truth" which tells to its advantage. In your tractate I admit that you have been as courteous as any person well could be in saying such things as you felt it your duty to say; I believe you have been quite veracious in your intention. True, it is your great difficulty in your professed appeal, either to Holy Scripture or to the evidence of history, that you hold your theoryand profess to hold it-independently of both of them. It follows, that since you cannot adjust your theory to the facts and evidence, the facts and evidence must be adjusted to your theory. Of that we make no complaint, of course, though it compels us always to question any such appeal which you may make. But you have said some things against our Church for which you have no infallible authority, and which you would probably not have said if you had been laboring for Unity, instead of holding a brief, for the time being, against us. In other words, if there were to-day any reasonable hope of

the re-union of the Church of England, as a body, with the See of Rome, I have no doubt that you would find it easy to discard, or even to disprove, the argument which you have made against us. It is because no such reasonable hope exists that you find it lawful to induce Anglicans to abandon the Church of their Baptism for the Communion of Rome, on account of reasons which you do not know to be infallibly true, but which you think sufficient to sway their private judgment. In this suggestion I have not the least intention of intimating that you are practising duplicity. All I have in mind is to show, as clearly as possible, that in making your argument against us, the particular opinions which you maintain are not only not authoritatively affirmed by Rome herself, but that, on the contrary, you yourself might, in a supposable case, argue as earnestly against your present thesis as you now argue in its favor. From the Roman stand-point, there is no certainty in the matter. Your own apparent certainty is not so certain as it seems. It is merely a strong personal opinion which you might easily change. I shall not detain you long in the examination of the points to which I think it worth while to pay attention.

1. It ought not to be otherwise than satisfactory to you to know that in the citations from S. Cyprian, S. Cyril, and S. Pacian which cover nearly one-third of the pages of your monograph, there is not a line which any Anglican would not subscribe ex animo. I regret to add—and I might use a stronger word than regret that we are obliged to admit the truth of much that you have quoted from our common enemy, Lord Macaulay, concerning the Church of Rome; for unfortunately few things are inherently so bad as the best things may become when they are perverted from their proper uses. If your address to us had been seriously intended not for us alone, but for the public in general, whose ear you wished thus indirectly to prejudice against the Anglican Communion, it might have been an adroit and not unusual controversial strategy thus to publish a whole composition of a Father like S. Cyprian and

large extracts from the others, as if, because they are true, they must, therefore, contradict us. I do not suppose that you intended any such small trickery as that: but I suppose, nevertheless, that the majority of your unlearned readers will presume that these patristic authorities must somehow or another militate against our position, merely because there is no other obvious reason why you should allege them in your contention

against us.

2. Intelligent readers of your monograph will take a different view. For while they will not, perhaps, be able to understand why you should have loaded down your pamphlet with forty-two pages of quotations from the Fathers which admirably express our beliefs, without containing a single syllable to sustain your argument against us, they will not be able to withhold their tribute of admiration from the frank ingenuousness which has prompted you to select passages which as flatly contradict your own theories as it would be possible for the pen of Anglican to contradict them. There are several such passages from S. Cyprian, but I shall be content to call your attention to one. It will be found on pages iv and v of the Second Part of your monograph. There the Saint says:

This will be, most dear brethren, so long as there is no regard to the source of truth, no looking to the Head, nor keeping to the doctrine of our Heavenly Master. If any consider and weigh this, he will not need length of comment or argument. Proof is ready for belief in a short statement of the truth. The LORD said unto Peter, I say unto thee (saith He) That thou art Peter, and upon this rock I will build my Church, and the gates of hell shall not prevail against it. And I will give unto thee the keys of the kingdom of heaven, and whatsoever thou shalt bind on earth, shall be bound also in heaven, and whatsoever thou shalt loose on earth, shall be loosed in heaven. To him again, after His resurrection, He says, Feed My Sheep. Upon him being one He builds His Church, and though HE GIVES TO ALL HIS THE APOSTLES AN EQUAL POWER, and says, As My Father hath sent Me, even so send I you; receive ye the HOLY GHOST: whosesoever sins ye remit, they shall be remitted to him, and whosesoever sins ye retain, they shall be retained; . . . yet, in order to manifest unity, He has by His own authority so placed the source of the same unity, as to begin from one. CERTAINLY THE OTHER APOSTLES ALSO WERE WHAT PETER WAS, endued with AN EQUAL FEL-

LOWSHIP BOTH OF HONOR AND POWER; but a commencement is made from unity, that the Church may be set before us as one; which one Church in the Song of Songs, doth the HOLY SPIRIT name in the Person of our Lord: My dove, My spotless one, is but one; she is the only one of her mother, elect of her that bare her.

After this the Saint demands with energy, "He who holds not this Unity of the Church, does he think that he holds the Faith?" If he had ever heard of such a thing as the Supremacy of S. Peter, which you maintain, S. Cyprian could hardly have contradicted it more emphatically. According to him

(a.) All the Apostles were of equal power.

(b.) They were consecrated to their offices as Apostles with a form of words which was substantially identical with that which Christ addressed to S. Peter.

(c.) If to S. Peter it was said, "Thou art Peter, and upon this rock I will build my Church," it was said to others by the same "Priest forever," "As my Father hath sent me, even so send I you;" in which mission assuredly there was no signification of that abolition of the Apostolate, except in the sole person of the Pope,

which your theory maintains.

(d.) There was absolutely no difference between the Apostolic office of the Eleven and that of S. Peter. "The other Apostles also were what Peter was." Theirs was "an equal fellowship both of honor and power." Would it be possible for man to frame a phrase more comprehensive? It is not only an explicit denial of the idea of Supremacy, but it precludes the notion of any form of Primacy which might for a moment imply a shadow of inequality.

(e.) The Primacy of S. Peter, according to S. Cyprian, was simply a priority of Consecration, or rather of designation to his office, such as gives to every Bishop a sort of precedence over another whose Consecration is of later date; and, still according to S. Cyprian, this bare priority had no other reason than that the idea of Unity might be impressed upon the Church by the beginning of the Apostolate in the person of one of the Twelve who were equally called to it.

(f.) The whole argument of S. Cyprian is based upon the hypothesis that the Constitution of the Church. such as it was made by CHRIST Himself, was permanent. Of the merging of the entire Apostolate in the person of S. Peter there is not a hint. If the Saint had ever heard of your theory, he would undoubtedly have given some sign of it in such a treatise. His silence alone on this one point is a significant evidence of the fact that in the days of S. Cyprian it had not been invented. The fact is that in the days of S. Cyprian there was nothing to which your theory would have applied.

(g.) From beginning to end the Unity of the Church, as set forth in the treatise of S. Cyprian, means Unity in the equal fellowship of the Apostles. He knows no other idea of Unity, nor has he heard of any change in the Apostolic conditions of Unity. It is that alone that he defends. To that alone he appeals, and Anglicans join in his pregnant question, "He who holds not this Unity of the Church, does he think that he holds the Faith?" Where we find a flagrant renunciation of the Apostolical Constitution of the Church of Christ, how shall we expect to find fidelity to the faith of CHRIST? \*

3. Your selection from S. Cyril is equally unhappy for you and equally consolatory to us. When the Saint is telling why the Church is called Catholic, this is his language:

of which, for a reason, I have included some in brackets:

"He who holds not this Unity of the Church, does he think that he holds the Faith? He who strives against and resists the Church [he who abandons the Chair of Peter upon whom the Church was founded], does he feel confident that he is in the Church ? "

<sup>\*</sup> Permit me to call your attention to an error of quotation into which you have fallen, doubtless through inadvertence. In the quotation which you have made from the tractate of S. Cyprian in the text of your pamphlet, I find you using these words,

Now, Monsignor, on referring to the translation of the passage given at the end of your tractate, I find that the words which I have bracketed are not there; and the reason is that they have no right to be there because they are a forgery. I do not for a moment either charge or suspect that you remembered this fact when you made your quotation; but I pray you to observe that some one not only committed an error in the case, but committed a forgery by which you have been misled. That forgery, however, was made in the interest of your theory, like all the innumerable forgeries of the False Decretals which might well be called the most prodigious disgrace of Christian literature, and of which a history, and a complete translation would be the most crushing reply to the modern Papal pretensions.

Now it is called Catholic because it is throughout the world, from one end of the earth to the other; and because it teaches universally and completely one and all the doctrines which ought to come to men's knowledge, concerning things both visible and invisible, heavenly and earthly; and because it subjugates in order to godliness every class of men, governors and governed, learned and unlearned; and because it universally treats and heals every sort of sins which are committed by soul or body, and possesses in itself every form of virtue which is named, both in deeds and words and in every kind of spiritual gifts.

Not one syllable in all this, nor anywhere else in all you have quoted from him, does S. Cyril say which tends to the support of one single particular of your theory of Catholicity. His only reference to S. Peter does not indicate any difference of opinion between himself and S. Cyprian concerning the equality of the Apostles. All that he says of S. Peter is simply to repeat the saying of Christ, "Thou art Peter, and upon this rock I will build my Church," as a promise of the replacement of the ancient Jewish Church by the Church of the Gentiles. Of your theory of the Apostolate or of the Papal prerogative existing in S. Peter, or of S. Peter

as the centre of unity, there is not a glimmer.

Rather the reverse. For while his silence in treating of Catholicity, concerning every one of the things which you set forth as of the essence of Catholicity, is an evidence that S. Cyril knew of no such Catholicity as that which you profess; his account of the constitution of the Catholic Church, as he understood it, shows clearly enough what he considered as its chief characteristics. Concerning these he says that, "when the first Church was cast off, God, in the second, which is the Catholic Church, hath set first Apostles, secondarily Prophets, thirdly teachers, after that miracles, then gifts of healings, helps, governments, diversities of tongues, and every sort of virtue." That is all, every single syllable, that S. Cyril says concerning the organisation of the Catholic Church. He begins with Apostles; but he does not end, like you, by abolishing them.

4. From S. Pacian your cause has just as little support. "There ought," he says, "to be no contest

about the name of Catholic." That is true, and what a rebuke it implies to you and your whole Church, who have made the most precious name of the Church of CHRIST an occasion of acrimonious contest. "Christian," he cries, "is my name, but Catholic my surname." The Catholic name is the common surname of all churches which have not forfeited it by heresy or schism. No man who respects his father or his mother will bastardise their other children by refusing them the family surname. Pacian does nothing of the sort. It is you, Monsignor, and your Church who raise contests about the name of Catholic, by arrogating to yourselves alone the name which is ours as well as yours. An accusation of spiritual bastardy may be easily made. Thank God, it is not so easily proved in our case; and the example of Pacian does not seem to me to encourage contests of the sort which is the chief occupation of your spiritual artillery.

S. Pacian professes exact agreement with the doctrine of S. Cyprian which we have already examined. Speaking of that "most blessed martyr and doctor," he asks: "Do we wish to teach the teacher? Are we wiser than he was, and are we puffed up by the spirit of the flesh against the man, whom his noble shedding of blood, and a crown of most glorious suffering, have set forth as a witness of the Eternal Gop?" I see not how these words of his and those which next follow shall be other than a scathing rebuke to those who have invented a system for Christ's Church such as SS. Cyprian and Pacian never heard of. "Shall the Fathers (he asks) follow our authority, and the antiquity of Saints give way to be emended by us, and times now putrefying through their sins pluck out the grey hairs of Apostolic

age?"

Some little the Saint says which bears on one particular of your favorite theory. He is arguing that the Bishops have the power of binding and loosing which was given by Christ to the Apostles. He shows that it is not reasonable to suppose that this power was restricted to the original Apostles. His ground is that

such an hypothesis would prove too much, since it would involve this consequence, that the power of baptising, etc., was in like manner restricted to the original Apostles. But his last argument is that "lastly, Bishops also are named Apostles, as saith Paul of Epaphroditus, My brother and fellow-soldier but your Apostle." little further on he says: "Let no one despise the Bishop on consideration of the man. Let us remember that the Apostle Peter hath named our LORD, Bishop. 'But are now (he saith) returned unto the Shepherd and Bishop of your souls.' What shall be denied to the Bishop, in whom operateth the name of GoD?" Finally, concerning the whole Episcopal prerogative, S. Pacian declares that "the whole has descended in a stream from the Apostolic privilege." To say the least, this sounds extremely like the doctrine of Apostolical Succession which Anglicans have been maintaining, lo, these many years. It may be that we are in error; but, if we are, we are content to err with S. Pacian!

To close this section, let me ask you to refer to your own concise statement of your theory which I have given in a foot-note, and then to ask yourself which one of all its monstrous assertions of radical revolution in the Constitution of Christ's Church since the days of the Apostles, is sustained by the Fathers whom you have adduced for our confusion? I will answer for you, Monsignor, Not one! If these quotations had been set forward merely ad captandum vulgus, they might have been expected, perhaps, to have some effect upon the ignorant; but with what purpose you have set them before the minds of the members of the General Convention of our Church, it passes my utmost ingenuity to imagine. I fear, Right Reverend Sir, you must have a poor opinion of the intelligence even of our Bishops; but I can assure you that I do not know a single member of our Lower House who would do otherwise than marvel that you should be at pains to furnish us with documents which are not unknown to us, and which confirm the teaching of our Church, while they as positively contradict the theory to which you invite our adhesion.

5. A very large portion of the first two sections of your discussions of the nature of the Church of CHRIST contains as little to which we object as do your quotations from the Fathers. Indeed, it is not easy to imaging why you should have been at pains to write it in an address to us, unless you are inconceivably ill informed of our opinions and beliefs, in which case you could hardly be qualified for the controversy you have undertaken; or else because you are not really addressing us at all, but a different public on whom you wish to make a false impression concerning us—a clever trick to which no one could assume that you would resort. Such, however, is the fact; and it would be as unprofitable as threshing straw to comment on statements which have no relevancy to your argument against us. I trust you will pardon me for saying, without meddling in your affair with Dr. Hopkins, that my reason for not discussing this part of your tract is really not that I am incapable of understanding the meaning of "an organism," as you suppose Dr. Hopkins to be. Unless you use that word in some non-natural sense, I think I understand what you mean by it.

6. Though I am happy to agree with much of what you have written about the nature of the Church of CHRIST, there are, nevertheless, a few things which you have inserted there to which I should by no means assent. In the midst of so much that is indisputable, you calmly insert your theory of the Petrine Supremacy, as if it required no proof whatever, instead of being the very question in dispute. In the most authoritative way, and without one single syllable of proof, nay, without even the pretence of proof, you assert (on page 25) literally all that you would have us think you are establishing by some irrefragable evidence. Assuredly, Monsignor, we are not quite such infants as you seem to sup-

pose us to be. Here is your statement:

Timothy and Titus were consecrated Bishops, but the Episcopate of Authority, in which they were participators, was one, indivisible, sovereign, and independent.

### That is all true, but how about what follows?

It was given first in its fulness to Peter separately; later the power of binding and loosing was given collectively to the Apostolic College. Thus was granted to the Head "fulness of supreme power, ordinary and immediate, over all and each of the pastors and of the faithful" in the whole Church.

Prove that to us, Monsignor, and we shall trouble ourselves and you about very little else; but you must positively not expect us to surrender at discretion merely because you make an assertion which begs the whole question at issue. Allow something to the operation of our private judgment; for most assuredly we cannot, on such slight personal acquaintance, entrust everything to yours. We feel the more entitled to demand some sort of proof of your assertion that S. Peter received "supreme power, ordinary and immediate, over all and each of the pastors," because it is to be supposed that the other Apostles were "pastors," and it is not apparent to an unenlightened Anglican understanding how that assertion is compatible with facts of Apostolic history to which I have referred, or with the declaration of S. Cyprian that our Saviour "gave to all the Apostles an equal power" by virtue of which "the other Apostles also were what Peter was, endued with an equal fellowship both of honor and power." In the meantime. we are obliged to await your further elucidation of the subject; because, since your main proposition is left without even the pretence of proof, we cannot admit any conclusion either concerning your Church or our own which is based on that mere hypothesis. You must, therefore, understand, Monsignor, that we may comment upon the rest of your brochure, but that we cannot admit your right on any ground of reason to expect very serious attention to an argument which rests entirely on an unsustained hypothesis. Until your gratuitous assertion of an unlimited Petrine Supremacy shall have some more adequate support than your personal statement that it was such, you must not think that we shall pay much attention to your inferences from it. Omne

vivum ab ovo is good Latin, and good philosophy; but we positively must have an egg to start with, not merely a cackle.

7. The same remark applies to your assertion, for again it is a mere assertion, that "the power of binding and loosing was given collectively to the Apostolic College." At first, I confess, I could not satisfy myself that you meant to say that the power of binding and loosing was not given to the several Apostles, but only to them all, as a Corporation. I find, however, that you say elsewhere that "by the most elementary law of grammar in the first passage" ('whatsoever thou shalt bind,' etc.,) "there is given separately to ONE what in the second" ('whatsoever you shall bind,' etc.,) "is given collectively to the Twelve." From this it is evident that you mean to teach that none of the individual Apostles, except Peter, had the power to bind and to loose. This proposition is contrary to the whole tenor of Apostolic history; it is supported by no fact whatever; the distinction which it implies is unknown to Holy Scripture. The whole statement is a flat contradiction of your own favorite, S. Cyprian. It is not less contrary to the teaching of your other favorite, S. Pacian, who says: "That which He (God) does through his Priests, is His own authority. Else what is that HE saith to the Apostles, 'Whatsoever ye shall bind on earth, shall be bound in heaven, and whatsoever ye shall loose on earth, shall be loosed in heaven?' Why said He this, if it was not lawful for men to bind and loose. Is this allowed to Apostles only?" Small trace here of the notion that the power to bind and to loose was a corporate power only, and not personal power, like that of S. Peter. Yet, against such authorities of your own choosing, you expect us to accept your personal ipse dixit! You expect too much, Monsignor.

8. There is a large and fruitful chapter of ecclesiastical history from which you have withheld your research. The Canons of the Primitive Church give us a better insight into the actual system of the Church of the earlier centuries than can be gained from any other source with-

out them. In them we find precisely the relations of all ecclesiastical persons and of all Churches to each other, as they may be presumed to have been developed from the condition in which they were left by the Apostles and their immediate successors. What, then, do we find in these authoritative documents? Anything corresponding to your imaginary sketch of the unquestioned Supremacy of the Pope? Not at all. If anything resembling it in any particular had really existed in the Church of the first four centuries, we should certainly be able to discover some sign of it in the Acts and Canons of the first four Œcumenical Councils; also, one would think, in the Canons called Apostolical, which date from the second century, or in the Canons of the Provincial Councils of Ancyra, Neo-Cæsarea, Gangra, Antioch, and Laodicea, all of which were confirmed by the Œcumenical Council of Chalcedon, or, certainly, in the African Code of the same age. Well, Monsignor, you and I both know that of the Papal theory of which you are the champion, there is to be found in all of these not a shred nor an indication; no, sir, but abundance of as flat contradictions, positive and negative, as any Anglican could desire. I do not wonder that in your tractate you have fought so shy of the testimony of ancient councils. But did you seriously expect us, whose appeal before God and man is to the testimony of antiquity, and especially to "the Undisputed General Councils," to allow you to drop them from your subject, as your Church seems to have dropped them from her thoughts? You have given us too much credit for complaisance, Monsignor. What, then, do the Apostolical Canons say about the Bishop of Rome? Not a word! as these venerable documents go—and they contain the oldest extant legislation of the Christian Church—no one would know that Rome ever had a Bishop at all; and precisely the same statement is true of the Canons of Ancyra, Gangra, Neo-Cæsarea, Antioch, and Laodicea! If Rome had been the recognised visible centre of Unity and Catholicity in those days, it is simply incredible that in such documents her very existence should be

your claims. 9. When we come to the Œcumenical Councils it is inevitable that we should find some mention of the See which was situated in the capital of the civilised world. Accordingly we do find Rome there, and the conditions on which she was there. She was not held to be supreme there as she would have been if your theory of Papal Supremacy had prevailed. Rome did not convene them, and her representatives did not preside in them; nor did anybody pretend that to be in communion with her was a decisive test of Catholicity. In those days and at those Councils it was the constitutional right of every Church in Christendom to be represented by its Bishop, unless he were lying under sentence of his own Province, or of an Œcumenical Council, for heresy or other crime. Unless in such a case, it was the duty of Rome and of every other Church to be in communion with him. If they were not, so much the worse for them; the Œcumenical Councils paid absolutely no attention whatever to any judgments other than the two which I have named above. A curious evidence of the disregard of a General Council (which was afterward recognised as an Œcumenical Council) is found in the history of the Council of Constantinople. I condense the story from "The Papacy" by the Abbé Guettée, pre-mising the remark that Meletius, Bishop of Antioch, presided for a time at the Council of Constantinople.

For a long time (says the Abbé), there has been a schism at Antioch. That city had two Bishops, Meletius and Paulinus. The Bishop of Rome was in communion with the latter, and consequently regarded Meletius as schismatic. . . . The Second Œcumenical Council was, therefore, under the presidency of a Bishop who was not in communion with Rome. Meletius died during the sitting of the Council. Those who were well known for eloquence among the Fathers pronounced his eulogy. . . . He was regarded by all as a Saint; and when his body was transported to Antioch, the journey was an uninterrupted ovation ("The Papacy," Eng. Ed., p. 110).

Evidently the Fathers of Constantinople had not heard that the first and indispensable sign of Catholicity is to be in communion with Rome, since they admitted to their number, chose as one of their presidents, and regarded as a Saint, a man whom Rome refused to recognise as a Catholic, but denounced as a schismatic! I submit that the Fathers of Constantinople would have

read your pamphlet with some amazement.

Actions are the most positive of declarations, and the action of the Council of Constantinople was sufficiently significant; but we must interrogate the Œcumenical Councils further, and demand what they say concerning Rome, and in what terms they say it. In truth they say but little, but that little is enough for us, and it ought to be enough for you. The first place to which I shall invite your attention is the Sixth Canon of Nicæa, in which the following words occur:

Let the ancient customs prevail in Egypt, Libya, and Pentapolis; so that the Bishop of Alexandria have jurisdiction in all these Provinces, since the same is customary for the Bishop of Rome also. Likewise in Antioch and the other Provinces, let the Churches retain their privileges.

What, then, was the jurisdiction here referred to? Simply this, that, as the Bishop of the Metropolis in every Province had the right to ordain the Bishops of the other Sees in his Province, so the Bishops of Alexandria were to have the right to ordain the Metropolitans of the Provinces designated, this privilege being conferred both as a matter of ancient custom, and because the Bishop of Rome had similar jurisdiction in the Provinces over which he presided. Here is no more hint of jurisdiction of the Bishop of Rome over the Bishop of Alexandria than the New Testament gives of your supposed Supremacy of Peter over his brother Apostles. Whatever rights the Bishop of Rome enjoyed in his own Patriarchate, the same were to be enjoyed by the Bishop of Alexandria in his. In other words, the two Patriarchs were to enjoy equal privileges in their several Patriarchates.

The next reference to the See of Rome occurs in the Third Canon of Constantinople. It is short and simple:

The Bishop of Constantinople shall have the privilege of rank next after the Bishop of Rome; because Constantinople is New Rome.

The building of Constantinople and its erection into the capital and seat of imperial government of the Eastern part of the Roman Empire required, in that punctilious age, that the rank of its Bishop in Councils and elsewhere should be authoritatively settled. Hence this regulation that the Bishop of Constantinople, as presiding in the second capital of the Empire, should rank next to the Bishop of the ancient capital. Of any Apostolical right of the Bishop of Rome to the precedence which was conceded to him there was apparently no thought. The whole reason of the rank conceded to him and the Bishop of Constantinople was a political reason, namely, the political eminence and prestige of the cities in which they held their office.

To this canon of the Council of Constantinople the Bishop of Rome objected; not because he complained of injury done by it to himself, but on the ground that it conferred on the Bishop of Constantinople a precedence over other Bishops whose Sees were of greater antiquity, and even of Apostolical foundation. The matter was, therefore, again brought up at Chalcedon. The delegates of Rome made their objection; but the Fathers with entire unanimity adopted the following, which is numbered as the Twenty-eighth Canon of that Council:

Following in all things the decisions of the holy Fathers, and acknowledging the canon which has just been read (of the one hundred and fifty most religious Bishops who were assembled in the imperial city of Constantinople, which is New Rome, by the Emperor Theodosius, of happy memory), we do also enact and decree the same things concerning the privileges of the most holy Church of New Rome or Constanti-

For the Fathers rightly granted privileges to the throne of the elder Rome because that city was the capital; and the one hundred and fifty most religious Bishops, actuated by the same design, gave equal privileges to the most Holy Throne of New Rome; justly judging that the city which is honored with the Sovereignty and the Senate, and enjoys equal privileges with the elder Imperial Rome, should in ecclesiastical matters also be magnified as she is, and should rank next after her.

And, therefore, in the Pontic, the Thracian, and the Asian Diocese,

the Metropolitans only (and such Bishops of the Dioceses aforesaid as are among the barbarians) shall be ordained by the aforesaid most Holy Throne of the most holy Church of Constantinople; every Metropolitan of the aforesaid Dioceses, together with the Bishops of his Province, ordaining his own provincial Bishops as a matter of course, as has been declared by the Divine canons. But the Metropolitans of the aforesaid Dioceses shall be ordained, as aforesaid, by the Archbishop of Constantinople, the proper elections having been held according to custom and to him reported.

Thus the judgment of Rome was set aside by a body of Six Hundred and Thirty Bishops of the Catholic Church in Œcumenical Council assembled. The act of Constantinople was confirmed; its declaration of the reason of its enactment on political grounds was reaffirmed; the Bishop of Rome was significantly reminded that he held his own precedence, such as it was, not by any inherent or Divine right, but because the Church had seen fit for political reasons to grant it; the same right of ordaining Metropolitans in certain Provinces, which already existed in Rome and Alexandria, was now explicitly conferred on Constantinople; but the rights of the Provinces to a free canonical election of Bishops was explicitly declared. This defeat, one might have thought, would have been sufficient; or, if not, it might have been expected that Rome would have thrown herself back on her inherent rights, if she had supposed herself to have any. Not so, however. On the day after the adoption of this canon the delegates of Rome applied to the Imperial representatives to annul the solemn act of the In the presence of the assembled Fathers their allegations were heard; and the event was that the "judices" gave an unqualified judgment against Rome, and in favor of the Council. Thus was the deliberate plea of Rome formally heard and re-heard, and was set aside both by the decision of the Council and by the lay judges before whom the regularity of that decision was impeached. How does that transaction square with the notion of Papal Supremacy? Monsignor, at that time the modern idea of the Papacy had not begun to enter into human imagination; and that is the last reference to Rome that you will find in the canons of

the First Four undisputed General Councils. The Fifth and Sixth Councils passed no canons.

In the African code I find one significant reference to Rome, though the name of Rome is not mentioned. It is this: In Africa, as elsewhere, there were unfortunately too many disagreements from time to time. In other places the parties to the contentions which arose were in the habit of endeavoring to secure decisions in their favor from the secular power; and no wonder if they did so. since we have seen how Rome did precisely that thing at Chalcedon. Therefore, many canons were adopted forbidding any such appeal to be made. In Africa, however, it appears that some persons who were aggrieved at decisions rendered against them by the regular canonical authority betook themselves to Rome in order to gain there the moral support which the countenance of so great a See could not fail to give; and the African Church, without expressing the displeasure which the course of Rome had evidently inspired, and, indeed, without mentioning the name of Rome at all, quietly adopted the canon numbered Twenty-eight (in the Greek code, Thirty-one), in which they imposed the penalty of excommunication upon any one who should attempt to prosecute an appeal beyond seas!

In thus consulting the canons and customs of the Church in her Councils of the first four centuries, I have done more than was incumbent upon me, since upon you rests the burden of proving that your theory of the Papacy is sustained by the facts of those days. I have chosen, however, to do more than was necessary by proving the negative of your theory, as completely, I think, as any one could wish. I repeat that, in view of the facts which I have named—and I have brought in none that can be denied—your theory of Catholicity is disproved as a thing which was not known to the Catholic Church of the early centuries. In other words, it is not a Catholic verity, but a gratuitous hypothesis, unveri-

fied and unverifiable.

10. Your statement of the connection of Gregory the Great with the mission of S. Augustine is mostly true,

though it is hardly correct as to the share which the Bishops of the British race had in the conversion of our Saxon forefathers. The truth is that Augustine, as a missionary, was not successful; and in his dealing with the British Bishops his conduct was such as to deserve the failure which it met. A little common sense might have won the Celts to the Roman Obedience; but he lacked precisely that element of common sense in superiors which enables them to win the service of inferiors by divesting it of servility. The Archbishop lacked tact; and clumsily contrived to wound the sensibilities and offend the prejudices of the Celts. Hence, as Dr. Bright says, in his magnificent "Chapters of Early English Church History," the Roman Archbishopric "continued to be little else than a high dignity shut up in a narrow area; it had no practical effect on the general life and work of the Church; it was like a great force lying dormant until the epoch that was to wake it into energy." That epoch came when Saxon heathendom had been converted, not by Roman missionaries, but by the despised and persecuted Celts. Canon Bright has demonstrated, beyond all possibility of disproof, that the conversion of our Saxon fathers was not the work of Augustine, nor the work of Rome, and that it was not accomplished by any elaborate organisation, but by the personal labors of Aidan, and Finan, and Colman, and Cedd, and Diuma, and Celloch, and of others like them whose names are written in the Book of Life but not in the diptychs even of the Church which they brought into the Fold of Christ. It was when they had done so that the splendid talent of government and organisation which Rome has always possessed was brought into requisition. There was nothing uncatholic or improper in the instructions given by Gregory and his immediate successors to the Archbishops of Canterbury, nor in the grants of power addressed to them. England at that time was missionary ground; and the Church which undertook its conversion was, by every ancient custom of the Catholic Church, entitled to exercise authority over its own mission. From the Twenty-eighth Canon of Chalcedon,

11. I admit your distinction between Orders and jurisdiction according to your own terms.\* The important thing is that you charge us with the loss of jurisdiction because of our separation from the communion of the See of Rome. To this the reply may well be brief. Either the Church of England has fallen into heresy or she has not. So long as the Chalcedonian decree shall remain

<sup>\*</sup> I must here ask pardon of my friend Dr. Hopkins for the remark that I regret the misconception of your meaning which has taken place in this connection, because it is in my opinion a misconception. It is accounted for by the simple circumstance that what you call Orders we usually call mission, and what you call mission (or commission), we are in the habit of calling jurisdiction; so that when you speak of "Orders and mission (or commission)," we should rather say "mission and jurisdiction." Except in the matter of phraseology, I think there is no difference between us in this matter; and I repeat my regret that a needless appearance of difference has occurred.

and the Church of England shall continue to obey it, so long will she be Catholic in Faith, and not heretic. So long as the Church of England shall be willing to maintain communion with all other Churches of CHRIST on the old terms of Catholic communion, so long she will not be schismatic. Now if a Church is neither heretic nor schismatic, it is of necessity Catholic, and is possessed of all and sundry the powers and functions of a Catholic Church of Christ. No fault of others will deprive it of its inherent jurisdiction; nor will anything within itself have that effect except heresy or schism. Unless because of heresy or schism, no Church nor Bishop can deprive it of the jurisdiction which is always to be presumed where there are valid Orders. As you have well said, Monsignor, Orders and mission are often conferred together. But when once both have been rightly obtained, no power on earth can withdraw jurisdiction otherwise than for cause; and the only rightful cause for withdrawing jurisdiction from a whole Church is heresy or schism. Hence I pass without serious notice all that you say about the supremacy of the Crown in the Church of England. I like that feature of our Mother Church but little. I have no hesitation in saying that I regard it as a stain on her escutcheon; but it is not the bar sinister by any manner of means, and if I were to concede all that you say about it (which I do not), I should still deny your conclusion, on the simple ground that it is not a heresy to maintain it, nor an act of schism to submit to You are too well learned a man, Monsignor, not to know that the *principle* of the thing is recognised and allowed, however unwillingly, in every Concordat into which the Pope enters with the sovereign of any nation, and, therefore, cannot on your ground involve forfeiture of jurisdiction, for, else what of the jurisdiction of the Pope? You know also that the volumes of the Corpus Juris Civilis are full of imperial decrees concerning the Church which surpass in the extent of the prerogative assumed anything that the Tudor sovereigns of England ever claimed. You would not find it very difficult to discover instances, and if you could not, I could help you,

in which the Pope has acknowledged and ratified, not merely condoned, many much more extreme acts of the secular power than any which are involved in the present prerogative royal in the Church of England. For the defence of the rash opinions of individual men in Parliament or elsewhere, I am no more concerned than you for like utterances of your co-religionists; but this I assert, that you have no warrant of your own Church to affirm the proposition that a Church which admits the royal supremacy in the sense in which the Church of England admits or submits to it is, ipso facto, deprived of jurisdiction for that cause alone. That being the case, great though our respect is for your private opinion, we cannot be expected to accept it as a final determination of so weighty a matter. In short, Monsignor, you have again in this part of your argument given us a strong assertion but no evidence.

12. It is to your credit, Monsignor, and I think it due to you to acknowledge a circumstance which does you honor, that you have not condescended to the vulgar assaults upon the validity of our Orders of which in times past we have had a superabundance. You have not even mentioned the Nag's Head fable or any of the other myths which were invented to destroy our ecclesiastical legitimacy. That those vulgarities have long been worn to shreds is true, but I willingly believe that you are silent concerning them, not because they are no longer available, but because the use of such artillery is not respectable, and certainly not fit for a gentleman. Knowing the affection which still prevails in the Anglican mind for John Henry Newman, you have been satisfied to tell us the subjective conviction which came to him after he had left us, that in the nature of things there could be no Apostolical Succession in the Church which he had abandoned; but with all our love for Newman, and it is both deep and sincere, we cannot accept his vision, or rather want of vision to see what we ourselves still continue to see clearly. We observe too, and with pleasure, both at the fact and at your candor in reminding us of it, that if the Pope were ever to declare that Newman is wrong, Newman himself would find it perfectly possible to believe in our Orders. Believing in our own Orders now, we are satisfied to observe that a gentleman like yourself does not, and, perhaps, could not, stoop to the arguments by which less able and less honorable controversialists have vainly endeavored to assail them.

13. You will pardon me, I trust, for saying that your knowledge of our Church in the United States is too limited to enable you to speak to us concerning it with the authority which you assume as an expositor of its history and ecclesiastical status. Of your ignorance, and I regret that I can find no less pungent word to designate the fact, there is a flagrant instance in your assertion that the clergy of the Church in the United States "pledge themselves by oath" to the Thirty-nine Articles! Why, Monsignor, we do not even subscribe them, either before our Ordination or afterward. Permit me then to tell you the genesis of our Church in this country, and then to ask you what there was in it which

is not valid and Catholic in the strictest sense.

Many generations ago there came to this country a number of baptised members of the Church of England, devout communicants of the Church in which they had been baptised. They were neither in heresy nor in schism. They gathered together in congregations for the worship of Almighty God, under the ministry of regularly ordained Clergymen. It was a misfortune that the ministry in the colonies was not sooner completed by the sending of a Bishop to take the oversight of them; but for that misfortune they were no more responsible than their Roman Catholic neighbors in Maryland, since they begged the Mother Church again and again to send them a Bishop. Immediately after the revolution these scattered congregations took the most energetic steps to complete their ecclesiastical organisation, and within a short time they succeeded in obtaining the requisite number of Bishops to enable them to continue their Episcopal Succession according to the Nicene Canon, which requires that every Bishop shall be consecrated by three Bishops at the least-a canon, permit

me to say, which was not observed by the Church of Rome in the Consecration of the first Bishop of the Roman Obedience in the United States. Further, the Dioceses formed by the Bishops, together with the Clergy and laity of the Church in the United States, did not make the least innovation on the Catholic system of which they had now acquired every necessary element; but from that time to the present they have "continued steadfastly in the Apostles' doctrine and fellowship, and in the breaking of bread, and in prayers;" nor have they ever refused the Bread of Life to any Christian man, woman, or child for any reason which would not have been approved by the original Apostles or by any one of the undisputed General Councils of the undivided Catholic Church. Now, Monsignor, unless we admit your theory of universal Papal Supremacy and jurisdiction, which you have asserted, but not proved; or unless we admit your thesis of the loss of jurisdiction by the Church of England, which you have likewise asserted, but have likewise not proved; we are at a loss to imagine in what respect the organisation or the conduct of our Church in this country has been, or is lacking in the attribute of Catholicity. With all due respect to your adverse opinion, I maintain that it has been organised, and that it has behaved itself in every essential particular as becomes a Catholic Church of Christ.

14. With respect to the question of conflicting jurisdiction in this country, there are difficulties which may some day require a consideration such as would be premature at this time. If the contest shall then be settled on the sole ground of priority of occupation, your Bishops in the original thirteen States of the Union will have to yield to the prior right of ours, since ours were established before yours. In Florida, and also, I suppose, throughout the territory formerly occupied by Spain and afterward ceded to France, from whom we acquired it, a contrary rule would prevail. It is not probable that any such rule will prevail in the happy hour of reconciliation; for the Catholic Church had, and still has, an abundance of ancient rules and pre-

cedents for the settlement of all such cases; and those rules, with such modifications as justice or charity may require, will always be applicable whenever the grace of God shall grant the Unity of his Church to the prayers of His people. In the meantime, neither your Church in this country nor ours is to be held responsible for the existing schism. You have inherited your position, as we have inherited ours, and the time for undoing the bad work of the past has apparently not yet come to either of us. We must, therefore, stand for the present as Catholic Churches of different rites stand in Oriental countries, with this unhappy difference, that for certain reasons, at present insurmountable, the Bishops of the Roman Obedience refuse to us that Catholic communion which we have never refused to them or theirs. If our position is the less arrogant, Monsignor, we are glad to believe that it is the more Christian, the more charitable,

and by long odds the more Catholic.

15. Of the hope of an ultimate, and not, perhaps, very far distant reunion of our Churches in this country, I have reason to know that some of your Bishops and other Clergy have not despaired; and of the appreciation of the strength of the Anglican position on the part of the very highest Roman authority, I could give you, if I were so minded, some evidence that might surprise you. There are probably many who would be glad to see that for which they do not dare to hope; and there are many more, who, if they could regard reunion as possible, would cut off their right hands rather than raise an obstacle of a feather's weight against it. To this last class, Monsignor, I do you the justice to believe that you yourself belong. I myself believe that reunion is not only possible—for with GoD what shall be impossible? but I believe that it is delayed only because of the sinfulness and faithlessness of Christian people. Whatever share in the general fault there may be in me, God knows that it is a fault of infirmity, not of wilfulness or lack of charity. I have never ceased to pray for the unity and peace of Jerusalem; in my poor place in the Councils of our Church I have always endeavored to

promote the things that make for peace among all who profess and call themselves Christians; and in particular I have striven, I think, without any exception for which I can reproach myself, to prevent the doing of anything that might add one hair's weight of difficulty to the restoration of Unity to the blessed Body of our LORD IESUS CHRIST.

#### V.

And now, Monsignor, to conclude a letter which has grown under my hand to proportions which I did not contemplate when I began to write it, I have given you, in the preceding lines, the reason why I came to make in our General Convention the speech to which you have referred, and which I suppose you to have misappre-The proposal before us at the time was to change the local name of our Church from that of "The Protestant Episcopal Church" to that of "The Holy Catholic Church of the United States of America." To the adoption of this name there were many objections which might have been urged, and I have no doubt that many good reasons were urged by others than myself. I cannot now recall all that was said, and there is no need that I should. The few moments I used in the debate were occupied in the statement of but one out of many objections which I might have been glad to make had there been occasion or opportunity. The objection which I did press was the immodesty of a Communion so small as ours is in this great country assuming so great a name as that of the Holy Catholic Church of the United States of America. I do not at all admit the Catholicity of statistical majorities. There was a time when the whole body of Christian believers consisted altogether of a company of one hundred and twenty souls, all of one nation, and all dwelling in one city, but that little company was the Catholic Church of Christ! There was a time, less than three hundred years afterward, when the world wondered to discover that the Church had become Arian; in fact, it was almost true

that for the moment Athanasius stood alone against the world. In those days it was the Arian heretics who appealed to the Catholicity of figures and geography; but the true Catholic minority knew and maintained that if all the world except Athanasius had verily become heretic, then Athanasius alone would have been the Catholic Church, and that the Great HEAD of the Church would have found means to provide that the gates of Hell should not prevail against him. Even so in this country, if it were a heathen country I should hold it to be our duty to call ourselves, few as we are, the Holy Catholic Church in the United States of America, until we should become entitled to be called the Holy Catholic Church of the United States of America. The facts of the case, which show us to be a very small minority of the people of this country, would make it at present not only an immodesty, in my opinion, but an untruth, to call

ourselves by that name.

There is another reason, however, not less imperative as an objection to the adoption of the name proposed, namely, that it involves a denial of whatever claims of your own Church in this country we, as Catholics, are bound to recognise; for unless we are prepared at all hazards to maintain that you have ceased to belong to the Catholic Church of CHRIST, so that your people must be converted from Romanism precisely as heathen people are converted from idolatry, I cannot see that we have any right to arrogate to ourselves a name by the exclusive assumption of which we virtually declare you to be apostates. It is true that this is precisely what you have done and continue to do to us, by sacrilegiously repeating our Baptisms and our Ordinations when any of our people go over to you; but of such offences it is best that we should suffer you to have a monopoly. It is also true that our complaint against your Church includes this among many other particulars, that you have made the Catholic name a matter of contention and debate by your unauthorised assumption of it as the exclusive designation of your own particular Communion. It would be strange indeed, if we ourselves were to

commit the very offence against the Church of which we complain in you! We could not well stultify ourselves in such a way, and if we did, I think we should deserve severe rebuke. It is true that our local designation is not without serious disadvantages. That we are Protestants, I, for one, do not feel called to deny nor ashamed to confess; but I dislike the name nevertheless, because it is the name which rings with the thought of calamitous divisions of the body of Christ, no matter who is responsible for them; and I should be glad if the name "Protestant" could be removed from the titlepage of our Book of Common Prayer. In our late General Convention I supported, with voice and vote, a proposal to strike the two words "Protestant Episcopal" from that place. If ever I have the opportunity to do the same again I shall surely do it; but I shall no more intend by it to signify a renunciation of any of the principles of our Church, than to repudiate Episcopacy. The Constitution of the Church is Catholic and permanent; the causes which led to the adoption of the name of "Protestant Episcopal" were incidental and transitory. It is not worth while to name a permanent body by a characteristic which cannot be permanent, and is not rightly descriptive. Hence our present name in the United States may be regarded as an inherited misfortune without admitting the propriety of adopting another name, which would assume more than truth warrants us in assuming. Therefore, while no one in our Church more fervently believes in the validity and Catholicity of all that she does, and of all that she is, yet I would not have her assume as her peculiar designation a name which is not exclusively hers, but which would imply a foul imputation upon your Church in this land; and although the only reason given in the short speech which I made against the assumption of the proposed name was the arrogant impropriety of the name proposed, yet I had many other reasons for objecting to it, of which the present occasion calls me to tell only that one which I have given above.

And now, Monsignor, farewell! We shall not again

cross the foils of argument. I leave you, as is just, the last word, if you shall think it worth while to say that word. Only once before, in a ministry of seven-andtwenty years, have I felt it right to join in controversy, and then, strangely enough, with one who had assailed doctrines as dear to you as to me. With the closing of this letter I trust that I shall close my share of controversial work. Let me end by saying one thing to you. When we are called to lay aside all the charges and duties of this present life, and when we are laid out for our burial, you and I, you in the vestments of a Roman Prelate, and I in the simple surplice of an Anglican Priest, you will not go to GoD with any firmer faith in the Catholicity of Rome herself, than I will go with certainty of the Catholicity of the Church of England, and of her daughter the "Protestant Episcopal Church of the United States of America." I do not believe that in any utterance of mine I ever gave reason to any man to think that I felt or thought otherwise; but if I ever did, that word was more unjust to me than to the Mother whom I serve. I would to God that when I come to die, it might be as true of my spiritual state as it will be of my ecclesiastical convictions, that I shall die "in the Communion of the Catholic Church, in the confidence of a certain Faith, in the comfort of a reasonable, religious, and holy Hope, in favor with God, and in perfect Charity with the world." So may you also die, Monsignor; and may we both live and deport ourselves as becomes men who hope so to die.

I am, Monsignor, and Brother in Christ, with all re-

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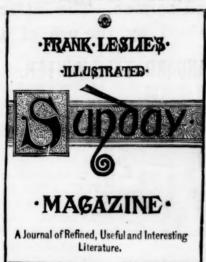
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